CONSENT: A CRITICAL STUDY OF SOME OF THE POSTULATES IN THE SOCIAL THEORY OF LOCKE AND KROPOTKIN

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PREFACE

In the course of the last fifteen years political philosophy has undergone momentous changes, induced from without as well as from within. While the behaviourists have been questioning the normative theorists, these theorists themselves have been reassessing their skills and objectives. As a result, from what had been feared to be a situation of irreversible decline there has emerged a new literature, still dynamic, though now more circumspect. Political philosophy has become more careful about its claims and more firmly grounded in the findings of all the empirical social sciences.

I hope that this study is in harmony with the mood and demands of the 'new' political philosophy. I must acknowledge a heavy reliance on the work of C. B. Macpherson and Michael Oakeshott, and on the series edited by P. Laslett and W. G. Runciman, for inspiration, material and methodology.

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London, July 1971 PAUL D. MONIN

I

INTRODUCTION

1. The Literature and Perspectives

So vast is the literature on liberalism and, in particular, the key importance of 'consent' in its doctrine that any addition may seem superfluous, if not pretentious. At the risk of incurring just this charge, I suggest that most of the discussion on consent has been restricted to the political level of Locke's theory, at the expense of its moral roots. Many commentators have, almost certainly as Locke would have wished, examined consent primarily in terms of transactions among men who appear not to be bound by extra-political obligations. Yet the uneasy coexistence of his theology and politics is something with which Locke himself never came fully to terms.[1] Locke placed greater emphasis on the practical and utilitarian motives and sanctions of men's political

[1] M. Simon, "John Locke, Philosophy and Political Theory", American Political Science Review, vol.XLV, no. 2, 1951, pp.386-99. This article offers an excellent introduction to the dualism in Locke, his rationalism versus empiricism.

behaviour than on any higher metaphysical basis to resolve the difficulty. To this end the idea of contract was indispensable, for by employing an argument from popular consent he eas spared the more hazardous necessity of a close scrutiny of natural law, the law of God.[1] But the dualism remained, each aspect constantly interacting with the other. Indeed, herein lies the fascination, albeit frustration, of Locke's theory.

> He met it [the challenge of synthesising rationalism and empiricism] in a characteristically Lockean way - by retreating under pressure from reason to faith and from liberty to authority.[2]

Locke in straddling two intellectual traditions was unable to free himself completely from the dictates of the old and at the same time could not fully apprehend the new. The result was a theory garnished with many faces. Which face is exposed depends on the angle of the light, that is, the perspective of the viewer. So it has been with the history of Lockean scholarship. Many have been the perspectives so many have been the interpretations.

The Founding Fathers of the American Republic

[1]See Philip Abrams, John Locke: Two Tracts on Government, pp. 25-6.

[2]Ibid., p. 3.

observed the most straightforward face of Locke in which the virtues of individualism and limited government are upheld. Willmore Kendall encountered a more forboding exposure that harboured all the dangers of majoritarian populism.[1] More recently, attempts have been made, notably by J. Gough and P. Laslett, to bring back into view Locke the liberal-individualist.[2] Their perspicacity is largely the result of a developed awareness of the 'double standard' used by Locke.

The most recent studies on Locke's theory have set out either to offer purely secular explanations of how his political prescription could have been arrived at, or to restore it to the historical and philisophical context in which it was conceived. In the former category, C. B. Macpherson and J. Cox are the most conspicuous contributors. Macpherson sees Locke as the self-conscious ideologist of the rising bourgeoisie.[3] His analysis is brilliant,

[1] Willmore Kendall, John Locke and the Doctrine of Majority Rule.

[2] J. Gough, John Locke's Political Philosophy: Eight Studies.
P. Laslett, ed., John Locke: Two Treatises of Government, with Introduction.

[3] C. B. Macpherson, The Political Theory of Possessive Individualism.

though displaying a pronounced tendency to reverse reasoning from the realities of modern market economies. Cox presents a remarkable 'concealment thesis' which imputes to Locke a devious method of expression designed to disguise or soften his real (Hobbesian) position. Ingenious though Cox's reconstruction is, it need have little relevance to Locke's actual intentions.[1]

J. Dunn is an eloquent spokesman for those who insist that period vision be restored to the study of Locke, that is, that the theory should be viewed, as far as is possible, in terms of the intellectual milieu that produced it.[2] Amenable though Locke's ideas may be to updating, what with the rapid growth of capitalist economies over the last two centuries, this practice obscures rather than clarifies the views that the man himself held. From this point of view, the interpretations of Macpherson and Cox, though convincingly constructed, may have little relevance to the original theory of Locke. Aarsleff, like Dunn, disagrees with the

[1] R. H. Cox, Locke on War and Peace.

[2] J. Dunn, The Political Thought of John Locke.

hypotheses of Macpherson and Cox that attribute to Locke incredible systems of analysis.[1] He prefers to appreciate the theory in terms of natural law and the means of its revelation.

This brings the main themes of Lockean scholarship up to date. The central problem of Locke's politics - the discordance of natural law and contract - remains insoluble. Locke had not resolved to forge an internally consistent synthesis. When considering particular concepts in the light of his theory it must be cautioned, then, that allowance be made for the implications of every aspect of his philosophy. For example, natural law is as relevant to a discussion of consent as is contract. Natural law, by obliging men to do certain things, limits the scope of the actions which they themselves can determine. Consent, which is based on a belief in the individual's power of self-determination, is thereby restricted.

To place Kropotkin opposite Locke in a comparative study may seem a dramatic move. It is

[1] H. Aarsleff, "The State of Nature and the Nature of Man in Locke" and "Recent Locke Scholarship", in J. W. Yolton, ed., John Locke: Problems and Perspectives.

not unintentionally a concession to the public competition that has long endured between liberalism and anarchism. Despite this admission, I maintain that the choice is well advised for more significant reasons. First, the theory of Locke and Kropotkin are equal in depth and clarity. Such qualities are far from ubiquitous in the anarchist literature. Second, in the work of both theorists the concept of consent is utilized, though its form and ends are very different. In Locke, consent is a formal concept that creates political authority and obligation, whereas in Kropotkin, consent simply functions through the natural practice of mutual aid and benevolence, and renders unnecessary, instead of creating, political authority and obligation. Last, each understanding of consent is the product of analysis from certain moral and economic postulates. In short, the objective of this thesis is to identify and assess the effects that these postulates have on the working of consent in the two theories.

Kropotkin's work, by contrast to Locke's, has not been the subject of a vast critical literature. There is no history of rival interpretations to be

cited in this case. Yet, the text itself is stated with singular clarity and force. Kropotkin's literary career passed through marked phases. Numerous pamphlets appeared during the last two decades of the nineteenth century. Mutual Aid, published in 1910, contained many of the ideas introduced in the earlier pamphlets. Kropotkin's most highly developed ideas on morality (and politics) were presented in his unfinished Ethics: Origin and Development, published posthumously. Since the appearance of the first pamphlets many of his ideas had been substantially refined and modified.

It should be cautioned at this stage that the extent of the common ground between the two traditions can be easily exaggerated. Nevertheless, had the anarchist position been expressed in the language of the less polemical political philosophies, much of the intellectual hostility that has dogged its history would not have been. This hostility has gone far to obscure the qualities and positions shared by liberals and anarchists. Yet, facile conclusions reached in the excitement of discovery should be resisted. For example, Hoselitz, an analyst

of Bakunin's theory, writes:

> Basically the two doctrines grew out of the same stream of political traditions, and the main difference between them is that anarchism was the more logical and consistent deduction from the common premises.[1]

The two doctrines may very well share the common premise - that man is naturally cooperative - but the manner in which each arrives at it is very different. Hoselitz's assertion that faltering logic caused the liberals to deviate from the anarchists involves a gross simplification of the modes of analysis being used (probably unconsciously) by the respective theorists. The premise is itself the product of deduction from postulates. I hope to demonstrate how this common premise is, in fact, derived from sets of almost opposite postulates.

The dualism evident in Locke's political philosophy does not find a parallel in Kropotkin's theory. Unlike Locke, Kropotkin was not manoeuvring between two intellectual traditions. He was fully committed to the methods of scientific analysis and found metaphysical reasoning difficult to

[1] B. F. Hoselitz, Introduction to G. P. Maximoff, The Political Philosophy of Bakunin, p. 11.

indulge in. However, despite a self-proclaimed adherence to scientific method, Kropotkin's writings remain "an assertion but not a demonstration of the anarchist ethic and Communist Anarchism."[1] His view of human behaviour and history is interpretative, not absolute. It is based on a number of propositions that are substantiated only to a limited degree by the findings of an observation of natural animal and human behaviour. In other words, these are postulates rather than empirically established truths. Therefore, Kropotkin's work is as open to normative analysis as is Locke's.

Furthermore, in his more advanced moral thought Kropotkin has recourse to 'moral sense' theory. That is, he maintains that as society advances along an evolutionary scale, man's innate moral sense develops, inducing him to action which does not promise personal gain. To prove empirically the existence of such a moral quality would be an immense task. Kropotkin has not managed it. Hence, it is merely an a priori truth. Both the theories of

[1] J. W. Hulse, Revolutionaries in London, p. 185.

Locke and Kropotkin are founded on *a priori* as well as utilitarian bases. On the grounds of utility, contract in Locke has a counterpart in mutual aid in Kropotkin. Similarly, where Locke invokes natural law, Kropotkin apprehends a naturalistic law based on moral sense.

Both Locke and Kropotkin, then, deal in *a priori* positions that are implicit in their conceptions of man's political behaviour. The purpose of this study is to examine how these are arrived at and what effects they have on the functioning of consent.

2. Normative Analysis and Postulates

In recent years the value of philosophical analysis in political enquiry has been challenged. Empirical analysis has grown apace, particularly in the social sciences, making the normative theorist more aware of the predominantly rational basis of his argument.[1] True, the pure rationalism of the eighteenth century had since been tempered but the

[1] See T. D. Weldon, *States and Morals*, pp. 1-25, for a useful introduction to the subject of rational analysis.

tendency to emphasize logical argument over the testing of propositions persisted. Analysis was still largely deductive, inference from a set of *a priori* truths. Once propositions are considered to be beyond the scope of testing, they become *a priori*. Locke, in spite of his tentatively empirical epistemology, was still member of a Christian intellectual tradition and therefore dealt in this type of truth. In effect, so did Kropotkin.

The change has brought about a vigilant awareness of postulates and the need to identify and trace them to their possible sources. We are assured by P. Laslett and W. Runciman that "there has been little reversion to the sort of *a priori* sociology and disguised prescriptivism for which the traditional theorists have so often been criticized."[1] Yet, philosophy can never become a formal discipline like mathematics because its propositions can never be called axioms.[2] In spite

[1] P. Laslett and W. G. Runciman, eds., *Philosophy, Politics and Society*, vol. 3, p. 3.

[2] See Isaiah Berlin, "Does Political Theory Still Exist?", *ibid.*, vol. 2, pp. 1-33.

these limits that have been set to the meaningful scope of philosophical analysis, functions still remain. Political philosophy is concerned with the elucidation of concepts and with the critical examination of assumptions together with the valuation of priorities and ultimate ends.

The nomenclature being used needs some clarification. Postulates or assumptions subsume two types of position taken at the outset of discussion. If the position exists only to be tested, in the course of which it is either confirmed or invalidated, it is a proposition. If, however, it exists by virtue of itself, it is a priori. An axiom is similar, claiming to be a self-evident truth. An example of the same position regarded in each of these ways would be useful. The position is: 'Man is naturally acquisitive.' Treated as a proposition, an empirical procedure would be used to establish whether it is valid or invalid. If its truth is established by revelation or the like, it rests as it is, known a priori. Finally, if its validity is quite obvious to all, it is an axiom.

Now, postulates, in one or more of the

forms outlined, exist in all socio-political theory. All political thought is carried out within sets of assumptions about the proclivities of man and the political and economic working of the social system.[1] Men's beliefs in the proper spheres of individual and social behaviour are part of their conception of themselves and others as human beings.

Often it is difficult to identify the postulates, and it may be still more difficult to locate their source. They may exist in the theory without being acknowledged and expressed as such by the writer. This is certainly true of the Second Treatise in which vital postulates go unacknowledged, perhaps deliberately. It must be cautioned that this is one of the most contentious areas of Lockean scholarship. Some scholars, like P. Laslett, J. Gough, and J. Dunn, take the theory at face value, appreciating the postulates as they seem to exist, tracing them to natural law and a contractual conception of political society. On the other hand, C. B. Macpherson and R. Cox attribute to Locke intricate methods of enquiry that 'conceal' his

[1]See J. G. Pocock, "The History of Political Thought: A Methodological Enquiry" , ibid., pp. 183-202.

real postulates and conception of political society. One explanation offered by both to account for this 'cover-up analysis' is Locke's fear of incriminating himself in what was then a spiritually and politically intolerant society.

Once the postulates have been identified and defined (assuming that general agreement can be reached as to what they actually are), it remains to be decided from where they came. No man, however objective and detached he may try to be, intellectualizes about politics in a cultural vacuum. He is automatically influenced by a vast personal experience and by the values of the social tradition about him. M. Oakeshott, in fact, builds an entire view of political theorizing around this realization. He asserts that all political theorizing is a process of abstraction or "abridgement of a tradition. . ."[1] In this usage, "tradition" now refers to a tradition of behaviour, meaning the whole complex of ways of behaving, talking and thinking in politics which we inherit from a social past. The theorist is inescapably confined in his thinking to the conventions

[1] M. Oakeshott, "Political Education", ibid., vol. 1, p. 21

of his particular tradition. Consequently, all political action consists in working out the 'intimations of a tradition', while all theorizing consists of abstraction from the same tradition. Locke's Two Treatises, as abstractions, are not exceptions:

> Some of these writings. . . are abridgements of a tradition, rationalizations purporting to elicit the 'truth' of a tradition and to exhibit it in a set of abstract principles, but from which, nevertheless, the full significance of the tradition inevitably escapes. This is pre-eminently true of Locke's 'Second Treatise of Civil Government'.[1]

Despite any reservations one may have about Oakeshott's approach, it has served to dramatize the considerable influence that a theorist's tradition has on his theorizing.

It has now been indicated, at least in general terms, from where a theorist derives his postulates. Would they not be taken, as Oakeshott insists, from the tradition into which he was born? That is, are they not drawn from the theorist's abstraction of how he perceives his society to be functioning? I am hesistant to refer to this

[1] Ibid., p. 21.

'intuitive' conception of man, society and the world as a model.[1] It hardly possesses all the functions of the model as a meaningful metaphor of realities. Models, in social science inquiry, are the product of a deliberate effort to represent systematically real quantities and processes. A collection of postulates gained from a (pre)conception of social life does not constitute a model; nor does the conception itself. Only in the loosest possible sense can they be said to be a model or paradigm.

3. The Objective

The purpose of this thesis is to explore those areas in the theory of Locke and Kropotkin where consent is not the only principle that confers rights and incurs obligations; and, as in the case of Locke, the area where consent is applied in an inconsistent manner in the setting up of the 'pre-political' economic system. These are effectively

[1] See A. Kaplan, The Conduct of Inquiry, pp. 30-33.

the areas in which the two theorists' ethics are at work, encumbering men with moral obligations and thereby reducing the scope of rightful individual action. Consequently, before the principle is established (in politics) that will can be surrendered only on the basis of consent, will is already a much reduced quantity. In addition, the ethics tend to prescribe how the consent is to be exercised in the political sphere. For example, in Locke men are morally obliged to consent to making their labour available on market terms, while in Kropotkin men are morally obliged to consent to helping their fellows. Hence, the ethics heavily circumscribe the working of consent in politics.

Locke's political obligation is not a unitary theory based on the principle that only consent creates obligation, that is, that rights may only be accorded by a person consenting or authorizing another to interfere in matters which he would otherwise be free to determine for himself. He who has been authorized has a right, forthwith, to expect obedience from him who is now obliged to obey. Locke

tried to found his commonwealth on this source of political rights and obligations but could not dismiss so easily the obligation implicit in his natural law. Discussion on the application of consent in the civil polity has been long and arduous.[1] It is altogether outside the scope of this study. My intention, instead, is to trace the fortunes of consent in the state of nature, where natural law rules.

> He [Locke] would not entirely let go of traditional natural law. . . . His main theoretical weaknesses might be traced to his attempt to combine these two sources of morality and obligation.[2]

The two sources that Macpherson is referring to are the natural law of Hooker and the utilitarianism of Hobbes. The natural laws are God's pronouncements on how men must conduct their affairs. They demand unconditional observance by virtue of their divine origin. The obligation, however, that arises from consent is founded on utility. A man consents to an arrangement that incurs obligation as he believes that he stands to benefit from it. Locke emphasized

[1] See J. Plamenatz, Man and Society, vol. 1, pp. 220-42, for a good summary of this application of consent.

[2] C. B. Macpherson, op. cit., p. 269.

the utilitarian basis of obligation, but the religious aspect remained. Natural law granted men the right to self-preservation - of life, liberty and property - and the executive power of the law of nature to correct those who failed to respect the rights of others. The arrangements that Locke deduces from these rights, to a large extent, run counter to the principle of consent.

The particular right and arrangements in question are, of course, the right of private property and the economic arrangements that it prompts. Long before the inception of civil society, in the state of nature, transactions in will between men are taking place which in the interests of consistency should be subject to the rule of consent. The diligence, however, that Locke displays when founding the civil society in observing the principle of consent is not so apparent in the state of nature. Consent is virtually excluded from a process that is to produce different sets of rights, making consent a meaningful right only for those who hold property.

In Kropotkin's theory, also, consent functions within a moral framework. The principle of consent

which is implicit in all the natural arrangements of an anarchist society is contained by a morality. Kropotkin's rejection of religion and metaphysics certainly did not mean the renunciation of moral belief. Quite the contrary, by "denying the connection of morality with religion and metaphysics, Kropotkin sought to establish ethics on purely naturalistic bases."[1] The natural, humanistic foundation of Kropotkin's moral ideas makes them no less ethics than the Christian ethics of Locke. They still constitute a set of rules, which are neither legal nor political, that apply to our conduct. That men are believed actually to manifest the rules through their natural behaviour in no way reduces the fact of moral obligation. Until this becomes a demonstrated reality, rather than simply an assertion, the obligation remains. Yet, Kropotkin did believe that he was talking about what 'is' and not what 'ought to be'. As such, his is a genetic morality.[2]

Consent, then, in Kropotkin's theory operates

[1]N. Lebedev, Introduction to P. Kropotkin, Ethics: Origin and Development, p. x.

[2]See P. Eltzbacher, Anarchism: Exponents of the Anarchist Philosophy, p. 185.

in an environment where all men are morally obliged to observe the principle of mutual aid and, after much social development, exhibit feelings of benevolence. Kropotkin's moral conception of man and society leaves the individual with only a certain area within which to act. Although his ethics were intended not to encumber man with onerous obligations, they do circumscribe the scope of his action.

In conclusion, the type of arrangements to which men are able to consent is limited by moral obligations. Only once the extent of these limits has been established can consent be considered in the politics.

II

DEFINING CONSENT

'Consent' is an integral component of a theory, not a unitary term, because there are areas in any definition that can be filled only by deductions from the postulates of a particular body of theory. After providing a general definition of consent, I shall list the questions that immediately arise from it and provide answers in the language of the two theories which are being examined. When all the questions have been answered, it will be clear that consent has been reduced to a concept that is dependent for its effective meaning on particular sets of postulates.

The purely semantic definition of consent as a voluntary agreement hinges on the meaning that one chooses to give the word 'voluntary'. The working definition of consent given by J. Plamenatz is a little more substantive:

> We have consent, therefore, whenever the right of one man to act in a certain way is conditional upon another man's having expressed the wish

he should act in that way.[1]

Of the four definitions that he considers, Plamenatz believes this to be the correct one. This is certainly the most satisfactory definition, as the others involve tacit consent, ignorance and favour. It at least posits a man positively approving a certain action, whereas the others see him agreeing because he cannot think of an alternative action, because he thinks that the other man knows better what is good for him, and because he believes that this is what the other man wants. Consent must be a positive action.

The central question is, how does a man arrive at the decision to accord another man the right to act in a certain way? At the outset it must be realized that consent presupposes a level of free will in the individual. Individuals express wishes. We assume that they can do this and can 'know' enough to make their wishes well considered. It cannot be taken for granted, as all political theories do not posit individual free will. Or, to put it better, the distinction is not between theories that posit

[1] J. Plamenatz, Consent, Freedom, and Political Obligation, p. 4.

individual will and those that do not, but between those that accept it and those that posit something greater, the 'real will'. To use Isaiah Berlin's terminology, the notion of 'positive freedom' requires the wishes of the individual will to be subordinated to the demands of the 'real self', the 'social whole', of which the individual will and the individual himself are insignificant parts.[1] The inherent dangers of using this metaphysic to justify the coercion of some men by others in order to raise them to a 'higher' state of freedom are well known.

Consent can hardly be equated with the compliance of individuals with the designs of the 'real self', whatever form it may take: dictatorial rule, totalitarian government or the like. The notion of 'negative freedom' and consent, however, are travelling companions. The concept of consent is grounded in postulates that are essential to the liberal-democratic (and, to some extent, the

[1] See Isaiah Berlin, Two Concepts of Liberty.

anarchist) understanding of liberty. The union is made quite clear by Plamenatz who makes "government by consent synonymous with representative government."[1] Consent involves individual will and as such is irrelevant to theories that posit a 'real self'.

We can now return to the central question of what induces men to give their consent to the actions of others. After all, it will encumber them with obligation which they had not previously.

A convincing explanation, used by both Locke and Kropotkin, is that of utility. A man will give his consent to arrangements from which he thinks he stands to gain. For example, in the Second Treatise, men give their consent through contract to create the civil polity in order to eliminate 'the inconveniences of the state of nature.' Men give up their natural right to execute the laws of nature but in return have these rights secured by the punitive power of the civil government. Civil society is thus created by popular consent, used

[1] J. Plamenatz, Consent, Freedom, and Political Obligation, op. cit., p. 3.

on the grounds of utility. Kropotkin uses the same argument but to a different end. He asserts that all men stand to benefit from acts of cooperation, and what is cooperation if not relationships of mutual consent? One man consents to the other's using his plough, while the other consents to the first man's using his scythe. It is in the best interests of both men to act in this way. Kropotkin, however, uses consent only to account for the practice of mutual aid, not to create political authority and obligation, as does Locke.

The utility argument, however, is not sufficient to answer the question, what is consented to? Considering the various applications of consent in the theories, the credibility of the utility argument begins to wear thin. The proviso that men consent only to that which will promote individual interests cannot account for all the arrangements based on consent in the theory. Some of the arrangements are clearly at variance with the rule of utility. A man is seen consenting to something from which there is little or no chance of his gaining anything. Perhaps the gain is sheer subsistence

or 'satisfaction', but it may not be a fair return for labour or a material benefit. For example, in Locke's theory men consent to the creation of money, a move that will facilitate the growth of a market economy and inequalities in rights. The possibility remains, however, that these men, hoping for immediate gains, were unable to foresee this eventuality. Similarly, in Kropotkin's theory, the principle of 'self-sacrifice', which sees the more capable men consenting to help their weaker neighbours, admits that utility is 'sacrificed', not gained. Utility has been superceded by 'satisfaction'.

What is consented to is determined not only by utility but also by the requirements of a conception of society deduced from a set of postulates. Locke's conception of society is based on the postulates of natural law and the market economy. Kropotkin's conception is based on the existence of an altruistic moral sense and the utility of mutual aid. Man in the theories of Locke and Kropotkin is a moral being who is bound by moral obligation. Furthermore, he is seen to function in an economic system that is founded on specific postulates. Only

then is man 'permitted' to organize his political life along the lines of consent.

The crux of the matter is the degree of free-will that the theorist accords man, the individual. As has been shown, Locke and Kropotkin heavily circumscribe the scope of free-will. Hobbes, by contrast, abstracted an amoral, asocial man in his state of nature. This man is a self-moving, self-directing entity who is motivated purely by personal desire or appetite. His method of deliberation consists of movement towards appetites and away from aversions.[1] Consent can be a completely utilitarian principle in such a world where a hedonistic ethic prevails. Contract in Leviathan is therefore an entirely utilitarian expedient, a positive step in the direction of greater pleasure and less pain.

Locke does not permit this condition of completely self-orientated action in his state of nature, which is a "state of perfect freedom . . . within the bounds of the law of nature."[2] His man

[1] J. Plamenatz, ed., Hobbes: Leviathan, p. 95.

[2] P. Laslett, ed., John Locke: Two Treatises of Government, op. cit., p. 309.

in the state of nature is restricted in his actions by a set of moral postulates, or, in Locke's nomenclature, laws of nature. Similarly, Kropotkin's natural man is from his beginnings subordinate to the moral principle in nature. At no stage in his evolution is man a totally amoral being. Hence, in neither theory is free-will total or unqualified.

The economic systems sanctioned by each theory further circumscribe the scope of free-will. The individual in Locke's economic theory must acquiesce in the creation and maintenance of the market economy. Although men are purported to choose this economic system, through consent, the credibility of the claim becomes suspect once it is realized that few men actually turn their reasons for consenting into action, that is, acquire property. Are individuals likely to consent to an arrangement, only to abandon their reasons for going in once it has been consummated? Perhaps only those who wanted to acquire property consented to the introduction of money and the economic system that it facilitated. Meanwhile, Kropotkin's economic system assumes that men practice mutual aid.

Returning to my initial contention that individual free-will is presupposed by the concept of consent, it becomes clear that any reduction in free-will is equally a reduction in the effective meaning of consent. In other words, consent takes on a meaning that is relevant only to the moral and economic postulates of a particular theory.

III

CONSENT AND LOCKE'S STATE OF NATURE

1. Politics, Ethics, and Economics

As argued in the last chapter, the concept of consent cannot be considered in solely political terms, in isolation from the moral and economic prescriptions of a philosophy. It is a facile convenience to discuss consent as though it can be the exclusive basis of transactions between men. This type of analysis presupposes that men are not bound by moral obligations and economic restrictions. In the theory of Locke this is certainly not the case. At this fundamental level the positions of Hobbes and Locke differ:

> Hobbes's problem is the construction of political society from an ethical vacuum. Locke never traced this problem in the Two Treatises because his central premise is precisely the absence of any such vacuum.[1]

Locke's political philosophy is nothing if not a theory of moral as well as political obligation. At the very outset of the Second Treatise Locke asserts that "The State of Nature has a Law of Nature

[1] J. Dunn, op. cit., p. 79.

to govern it, which obliges every one."[1] Since his creation, man has been obliged to observe the laws of nature. These laws are no less than the pronouncements of God on how He expects men to behave. Locke is above all a Christian thinker. Basic to his theory is the single axiom of God's existence. It is God who constitutes the order of law which instructs men in their duties at all points in the world. Is the creation of the civil polity, then, no more than the obedient enactment by man of God's Will? Does man, having gained knowledge of the natural laws through the exercise of his reason, realize that this is what God wishes him to do? Locke, reluctant to found his civil polity solely on the dictates of natural law, introduced the idea of contract. Yet, conversely, by declining to withdraw the moral element, he failed to establish contract as the only basis of political society. The outcome is a typically Lockean balance of incongruous forces.[2]

No matter which basis of the civil polity

[1] Second Treatise, sect. 6.
[2] See P. Abrams, op. cit., pp. 25-6.

one chooses to emphasize, natural law or contract, the fact remains that the man involved is essentially a moral being. This man's ability to act in any given political situation is circumscribed by moral obligations. What he consents to must fall within the range of alternatives that is acceptable to natural law. Some commentators on Locke have neglected this fact.[1] Locke, in spite of his anti-rational intellectual stance, was still an orthodox member of a Christian tradition.

Besides being a theory of moral obligation, Locke's political philosophy is equally a theory of economic arrangements. Also, consent plays little or no part in the genesis of these two theories. In the case of the moral law the reason is clear - man can hardly presume to determine what God wills for him - but in the case of the economic arrangements the justification is far from clear. Locke made quite an arbitrary decision here. He allotted all the economic transactions to the pre-civil stage, the state of nature, despite the fact that they affect the

[1] I am referring to the secular interpretations of writers such as Cox and Macpherson.

reallocation of will and power. The rule of consent does apply to the transactions of the state of nature but is inconsistently observed. Men do consent to put value on money, but consent then becomes irrelevant to the process of appropriation. Once there are vast property differences between men, consent is no longer universally applicable. Now, only those with property can be said to consent to something, whereas those without property cannot, as they are denied the real choice that is implicit in the concept.

Consent as a concept is affected by the moral and economic postulates of Locke's philosophy. My intention is to examine these postulates in the light of how they restrict the working of consent. The postulates and deductions thereon are presented in the first seven chapters of the Second Treatise. In these chapters Locke develops his conception of the state of nature. The forms that consent takes in the working of the political society are altogether beyond the scope of this thesis.[1]

[1] See P. Laslett, op. cit., pp. 121-2 and 124, for discussion of consent in this context.

2. Natural Law and Moral Obligation

Locke's concept of the state of nature has been the subject of disputed and varied interpretations. Some scholars, like J. Dunn and H. Aarsleff, have endeavoured to adopt perspectives which, to them, approximate the perspective of Locke himself. That is, at his deepest level Locke was a religious, not a social thinker. To him, basic man was the product of God's Will, not of social forces.

> The state of nature is a concept that expresses Locke's view of the nature of man and his capacities . . . . Locke never believed that basic man was a product of society.[1]

A distinction must, however, be drawn here between what Locke thought he was viewing and what he was actually viewing. That is, Locke may have believed that he was viewing man, a product of the Divine Will, not consciously realizing that he was in fact viewing man of seventeenth century England, who was very much the product of social forces. What the theorist thought he was doing does not necessarily correspond with what he was actually doing. This realization

[1] H. Aarsleff in J. W. Yolton, John Locke: Problems and Perspectives, op. cit., p. 100.

lays Locke's theory open to social, as opposed to theological, interpretation. It secures for an interpretation, such as that of Macpherson, an unassailable raison d'être.

Yet, Locke's concept of the state of nature still needs to be analysed in its own terms. But deciding what are in fact the terms of the concept is an intractable task. Locke developed his philosophy and politics along two distinct courses which were not necessarily intended to be complementary.[1] The Essay[2] and the Treatises were intended to be considered separately as a work on philosophy and a work on politics, respectively. In neither work is natural law clearly defined. "It seems that it was always 'beside his present purpose' for Locke to demonstrate the existence and content of natural law."[3] Furthermore, the references that are made to natural law in these two works are not always consistent. For example, the assertion in

[1] See P. Laslett, op. cit., pp. 92-105.

[2] J. Locke, An Essay Concerning Human Understanding.

[3] P. Laslett, op. cit., p. 95.

the Second Treatise that "the great Law of Nature" is "writ in the hearts of all Mankind"[1] seems to contradict the argument of the Essay against the notion of innate ideas.

In spite of these 'inconsistencies' and the absence of definitive statements, a general understanding of the state of nature and the law by which it is governed can be drawn from the two works. In brief, the state of nature is the state all men are naturally in for the very reason that they are men. The law of nature is God's Will for mankind, but man's faculty of reason, itself a gift of God, enables him to perceive its rightness. This theory of law rests on the assumption that certain general injunctions of Divine Law can be treated as matters of established knowledge. Men come by this knowledge through the exercise of their reason. Locke was a committed believer in the power of reason as a means to knowledge. He attacked "the opinion among some men" that "certain innate principles, some primary notions . . . are as it were stamped upon the mind

[1] Second Treatise, sect. 11.

of man."[1] To support his position, Locke demolished arguments, such as that of universal consent, advanced in support of innate ideas. For Locke, the law of nature is not inscribed in the minds of men.[2]

How do men, then, come to know the natural law? It becomes known by processing the data of sense experience, using reason. "All Ideas come from Sensation or Reflection,"[3] including the idea of natural law. Do all men possess sufficient reason to know the natural law? Locke does not provide an unambiguous answer. In the Essay and the Essays[4] he suggests that rationality may not be universal. Only through extended reflection in the right frame of mind can one come to know the natural law. Some men may never attain the necessary depth in reflection or the correct frame of mind. They can, however, learn the content of the laws by observing

[1] Essay, Book I, ch. II, sect. 1.

[2] See W. Von Leyden, ed., Essays on the Law of Nature, pp. 136-46.

[3] Essay, Book II, ch. I, sect. 2.

[4] Essays, op. cit.

the behaviour of those who do know the laws. Presumably, those who fail to know the laws, by either means, become aberrants who have to be corrected by the "Executive Power of the Law of Nature."[1] Locke's politics seem to presuppose the universal knowledge of natural law. After all, the various compacts are all supposed to be founded on universal consent which requires universal knowledge.

Does natural law always coincide with what is in the best interests of all? To answer this question, one is again plunged into the realm of the indefinite. On the basis of the Essays, the answer is negative.[2] Man, because of his wayward tendencies, may not always find the natural laws agreeable but is nonetheless bound by them. On the basis of the Treatises, the answer is positive. Observance of natural law secures for man self-preservation and pleasure. From the premise that man has a right to self-preservation Locke deduces the

[1] Second Treatise, sects. 7 and 8.
[2] Essays, pp. 204-15.

economic system of his state of nature. Aarsleff places Locke into the hedonist ethical tradition when he writes: "Hedonism is the means by which man is guided to the moral rules that pertain to the law of nature."[1] This is certainly true of the later developments in Locke's ethics. Laslett sums up the situation very succinctly: "The trouble was that Locke began by basing right and wrong on God's commands and punishments, but also adopted a hedonistic ethic of the Hobbesian sort."[2] Locke's ethics, therefore, cannot be explained purely in utilitarian terms. There remains the element that is founded in Divine Will and not human pleasure. To substantiate this, the content of the law of nature must be established.

Yet, herein lies the problem. As already indicated, Locke was never explicit as to what the natural laws actually were. In the Second Treatise he presented the natural rights only in the most general terms. He posited the "equality of Men by

[1] H. Aarsleff in J. W. Yolton, op. cit., p. 121.
[2] P. Laslett, op. cit., p. 96.

Nature"[1], meaning that they are equally bound by the law of nature. The very crux of the natural rights is the right to self-preservation.[2] Subsumed in this right are the rights to "Life, Liberty and Estates."[3] Natural law obliges men to respect these rights of others. If a man fails to show the respect expected of him, retribution comes in the form of "the Execution of the Law of Nature . . . put into every man's hands, whereby every one has a right to punish the transgressors of that Law . . ."[4]

As presented above, the natural laws seem to be far from onerous. Yet, from these laws Locke deduces an economic order that is certainly onerous for many. The laws are so general that the social order that one may choose to deduce from them is virtually unrestricted in the form it can take. Whatever the form of the social order, it has the sanction of natural law. Therefore, the economic order of the state of nature, founded on natural law, is the product of moral obligation. Men are

[1] Second Treatise, sect. 5.
[2] Ibid., sects. 6 and 7.
[3] Ibid., sects. 4 and 6.
[4] Ibid., sects. 7, 8, 11, 13.

'obliged' to create money and appropriate 'estates'. Men are also 'obliged' to enter into the Commonwealth. Locke's economic order and civil polity are based on natural law and contract. Whatever importance is accorded to natural law, it still leaves the argument of contract and consent weaker. Furthermore, "The Obligations of the Law of Nature, cease not in Society, but only in many cases are drawn closer . . ."[1]

3. Property Right and Consent

The economic arrangements of the state of nature, though 'involving consent', restrict its application. In addition to the moral qualities of the state of nature, then, the economic aspects of this state also need to be examined. Locke's state of nature is obviously far more than a literal historical conjecture of how men behaved before the advent of civil authority.[2] The historicity of the concept is extremely tenuous. Yet, the state of nature is certainly "a kind of society"[3], but one

[1] Ibid., sect. 135.

[2] See J. W. Gough, The Social Contract.

[3] J. Plamenatz, Man and Society, vol. I, op. cit., p. 220.

which is an abstraction, not a bygone reality.

Moreover, this state does not embody only the theorist's assumptions about natural man but also his assumptions about social man. He is, after all, constructing a picture of natural man from the behaviour of the social man of his own society. One could go as far as C. B. Macpherson and contend that the state of nature is a vision of how men who have acquired civilized tastes and desires through living in society would behave if social authority were suddenly removed.[1] There is, however, the danger of crediting Locke with analysis of exaggerated complexity. The state of nature need be no more than "an abstraction, arrived at by imagining life stripped of all the qualities supposed to be due to organized political society."[2] This is a state where not only political authority is non-existent but also where life is free from the qualities men are believed to acquire from the presence of political authority. Yet, is it possible not to endow this

[1] C. B. Macpherson, op. cit., pp. 18-19.

[2] J. Gough, ed., The Second Treatise of Government, 3rd ed., Introduction, p. xxi.

non-political state with qualities from one's own (civilized, political) society? The theorist is captive of the social assumptions of his society. In imagining a non-political way of life, he cannot achieve total detachment from these assumptions.

However one chooses to explain how Locke arrived at his conception of the state of nature, this state remains a fully developed economic system. Its harmony is the result of rational arrangements, not the natural cooperativeness of man. Men, heeding the dictates of reason, complete a whole sequence of transactions, the result of which is a "State of Peace, Good Will, Mutual Assistance and Preservation."[1] Reason makes known to men what is in the natural law and how they can best advance their interests. This is, however, a fragile, tenuous harmony, as it is for ever fraught with "the Inconveniences of the State of Nature."[2] The Commonwealth is required to secure and guarantee man's natural rights.

[1] Second Treatise, sect. 19.
[2] Ibid., sect. 13.

Private property is the keystone of Locke's economics. The justification that he offers for men's right to acquire 'estates' utilizes consent in a particular way. The application of consent in the state of nature is as important as its function for making a contract, though not as conspicuous. The dual function of consent in Locke's theory is made very clear by C. B. Macpherson:

> There are, then, two levels of consent in Locke's theory. One is the consent between free, equal, rational men in the state of nature to put value on money . . . The other is the agreement of each to hand over all his powers to the majority; this is the consent that establishes civil society.[1]

Commentators on Locke have been preoccupied with the second level at the expense of the first. The second, or political, level is treated by Locke at length, whereas the first, or economic, level is dismissed in one chapter, accounting at least in part for the latter day preoccupation. I shall go as far as to argue that the application of consent at these two levels is neither entirely consistent nor compatible.[2]

Locke's assertion and justification of a

[1] C. B. Macpherson, op. cit., p. 210.

[2] I owe many of these ideas to the work of Macpherson.

natural right to property is central to his theory of civil society, as well as to his economics. "The great and chief end, therefore, of Men's uniting into Commonwealth, and putting themselves under Government, is the Preservation of their Property."[1] Here an essential distinction in meaning must be noted between Locke's use of the words, "Property" and "Possessions". "Property", for Locke, means "Lives, Liberties and Estates."[2] "Possessions", meanwhile, refers only to "Estates" or material belongings. Both Laslett and Macpherson are convinced that in the chapter on property material possessions are meant, while in virtually the rest of the Second Treatise the more general sense applies.[3] For this reason, Macpherson has chosen to interpret the chapter on property on the basis of material acquisitiveness, rather than of the preservation of life and dignity.

Locke's argument for a natural right to possessions is unsound. Gough asserts that Locke

[1] Second Treatise, sect. 124.
[2] Ibid., sect. 123.
[3] P. Laslett, op. cit., p. 115; C. B. Macpherson, op. cit., p. 198.

was mistaken in believing that property can exist apart from the state:

> On the question of property Rousseau was sounder than Locke, for he distinguished property from possession, and recognized that property i.e. material belongings can only exist when it is maintained and guaranteed by the laws and government of the state, and therefore can only be held on the conditions that the state imposes.[1]

Locke, however, was adamant that civil government in no way creates property; it simply secures a right that already exists. Also, the conditions on which property is held are settled in the state of nature.

Locke derived the right of property from the fundamental natural right to self-preservation. "Men, being once born, have a right to their Preservation, and consequently to Meat and Drink, and such other things, as Nature affords for their Subsistence."[2] But the goods of nature were "given . . . to Mankind in common."[3] On these grounds it is man, the species, which has a right to own things, not an individual man. Locke introduced the notion of "personal labour" in order to convert communal ownership into private

[1] J. Gough, op. cit., Introduction, p. xviii.
[2] Second Treatise, sect. 25.
[3] Ibid.

ownership. "Every Man has a Property in his own Person" and "the Labour of his Body, and the Work of his Hands"[1] are his. Hence, as soon as a man stoops to collect fruit or fences a plot of land, they immediately become his possessions. This argument ipso facto rules out the possibility of communal ownership and production. Labour creates private property.

Furthermore, possessions are acquired "without the assignation or consent of anybody."[2] Locke argued that if the consent of others were necessary before a man could receive sustenance from the fruits of nature his survival would be in jeopardy. He quite categorically placed the process of appropriation beyond the scope of consent. A process is thereby sanctioned that is to undermine the initial equality of the state of nature.

The full significance of the exclusion becomes apparent only when the inefficacy of the natural laws to check the extent of individual appropriation is realized. Locke posited two explicit

[1] Ibid., sect. 26.
[2] Ibid., sect. 28.

limitations on the degree of acquisition permissible under the law of nature.[1] First, a man may appropriate only as much as leaves "enough, and as good"[2] for the others. Second, one is permitted to take only "as much as anyone can make use of to any advantage of life before it spoils."[3] A third limitation is the logical implication of the principle that labour creates property, that is, rightful appropriation is limited to the amount that a man can procure with his own labour.

The first two limitations are transcended by Locke himself and the third can be rendered invalid by his wages theory. Sect. 36 dismisses the need for concern over the first proviso, that sufficient good land must be left for others. As there is "Land enough in the World to suffice double the Inhabitants"[4], it is impossible to imagine a situation of diminishing resources, regardless of the extent of man's acquisitiveness. Moreover, Locke's assertion that

[1] My discussion of the limits to rightful appropriation is based on Macpherson, op. cit., pp. 203-20.

[2] Second Treatise, sect. 33.

[3] Ibid., sect. 31.

[4] Ibid., sect. 36.

property is at least ninety per cent labour i origin makes the pressure on land almost negligible.[1]

The second, or spoilage, limitation is also negated in sect. 36:

> That the same Rule of Propriety, viz that every Man should have as much as he could make use of, would hold still in the World, without straitning sic any body, since there is Land enough in the world to suffice double the Inhabitants had not the Invention of Money, and the tacit Agreement of Men to put value on it, introduced by Consent . . . shew more at large.[2]

Man's consenting to assign particular value to the precious metals and use them as a means of exchange removes the natural limits that were previously established. By converting surplus land into money, the spoilage limit is easily overcome, for "Gold and Silver . . . may be hoarded up without injury to any one, these metalls not spoileing [sic] or decaying."[3]

The third limit, which requires property to be the product of labour, is eliminated by Locke's wage theory. "Thus, the Grass my Horse has bit; the Turfs my Servant has cut; . . . become my property."[4]

[1] Ibid., sect. 40.
[2] Ibid., sect. 36.
[3] Ibid., sect. 50.
[4] Ibid., sect. 28.

A man is entitled to the products of his servant's labour. Through the payment of wages a man can extend the capacity of his own labour by taking possession of other men's labour. Again, money is the means to the elimination of a limit set by natural law. The fundamental incongruity between Locke's labour theory and his theory of wages and money has become evident. Locke initially maintained that "labour put a distinction between them and common"[1], that is, that property can be acquired only through the direct expenditure of labour. Life and labour are inalienable. Yet, the introduction of money and the wage system work to undermine this principle. Now labour ceases to be the sole qualification to property. As Locke seems to allow the permanent appropriation of one man's labour by another, a servant's by a master, labour is no longer inalienable.[2]

Therefore, in Locke's state of nature consent is excluded from the process of appropriation and

[1] Ibid., sect. 28.

[2] See P. Laslett, op. cit., pp. 118-19; C. B. Macpherson, op. cit., pp. 214-220.

the tacit consent of men to use money appears to eliminate the limits set by natural law on the extent of rightful appropriation. To say, however, that Locke condoned a system based on wealth is to neglect the importance of natural law and his stand against the "evil Concupiscence, that had corrupted Men's minds."[1] In the final analysis, Locke believed that "No Man could ever have a just Power over the Life of another, by Right of property in Land or Possessions."[2] Should the economic arrangements work so as to widen the gap between the rich and the poor to the extent that the poor are denied the essentials necessary for subsistence, there is always "charity". "Charity gives every Man a Title to so much out of another's Plenty, as will keep him from extreme want, where he has no means to subsist otherwise."[3] Men of property have a responsibility to assist the less fortunate. Or, as in the words of J. Dunn, "Locke makes property a pure private right, but that in no way impairs the

[1] Second Treatise, sect. 111.
[2] First Treatise, sect. 42.
[3] Ibid.

social responsibilities which emanate from it."[1]

Charity, however, is not incongruous with capitalism. The workhouse is an embodiment of the principle that assistance should be rendered to the fallen, but the economic system still allows men to fall. Although Locke was neither a 'capitalist' nor a 'socialist', there are more elements in his doctrine of property that are consistent with the former attitude. He seems to have assumed that any form of social life inevitably leads to economic inequalities. The key proposition is the introduction of money by consent.

Men consent to the creation of money, but do they thereby consent to the economic system which it engenders? Do they voluntarily enter an arrangement that heralds economic inequality? For Locke the answer is 'yes'. ". . . it is plain, that Men have agreed to disproportionate and unequal Possession of the Earth."[2] Yet, the argument that he offers to uphold this contention is inconclusive because of the inconsistencies with which it is fraught. To explain the nature of

[1] J. Dunn, op. cit., p. 217.
[2] Second Treatise, sect. 50.

this logical dilemma, the sources and content of the postulates will have to be examined more closely. The fundamental discordance of Locke's religious and social perspectives accounts for the difficulty.

4. The Postulates and Consent

The divergent directions in which Locke's analysis of the state of nature and property lead imply a similar divergence in his postulates. He appears to have drawn postulates from two conceptions of society and theories of human nature. This is the belief of Macpherson, who maintains that of the two conceptions "One was the notion of society composed of equal undifferentiated beings. The other was the notion of society composed of two classes differentiated by their level of rationality."[1] Locke was unaware of the logical inconsistency of adopting both conceptions (or paradigms) because features of both were manifest in the society he was observing and knew, that is, seventeenth century England, with its notion of Christian equality and yet the existence

[1] C. B. Macpherson, op. cit., p. 243. See ibid., pp. 222-251, from where the basis of this argument is derived.

of social and economic differences.

The opening chapters of the Second Treatise evidence the first conception, that founded on natural law. Men enjoy equal rights and rationality. It is "A State also of Equality"[1] where "Reason . . . teaches all Mankind, who will but consult it."[2] All being rational, men are able to apprehend the natural law that enjoins them to preserve themselves by adopting the means most expedient to this end. Consequently, men agree to create money. This is the surest way to universal prosperity. Quite clearly, a conclusion from the second conception of society has been introduced. Money is indispensable to the existence of the market economy. Yet, the "tacit consent"[3] that creates money is based on natural law. It is a real, universal, rational concept.

No sooner, however, has the common rationality of men been displayed through their consenting to the creation of money than it disappears. The purpose of money had been to make possible 'unlimited' personal

[1] Second Treatise, sect. 4.
[2] Ibid., sect. 6.
[3] Ibid., sects. 36 and 50.

appropriation, something that all men desired. Men had therefore agreed voluntarily to ascribe value to gold and silver, but very soon many men seem to forget the raison d'être of the arrangement. Only a few take advantage of the new situation proceeding to acquire property, while the rest remain unacquisitive, soon to become wage labourers. Those without property have evidently lost the rationality that had induced them to consent to the compact in the first place. Otherwise, they too, would be striving to appropriate property to the best of their ability. What had been common rationality has clearly become selective rationality.

To take the analysis so far, it is not necessary to maintain that Locke postulated a man who is insatiably acquisitive, as does Macpherson.[1] This man is certainly acquisitive, and it is assumed that appropriation, indeed, production itself, is possible only on an individual basis. Collective ownership and production are deemed to be impossible. These postulates are essential to a conception of the commercial economy based on private property. They run counter

[1] C. B. Macpherson, op. cit., p. 235.

to the postulates implied in Locke's Christian conception of society.

Hence two classes emerge, only one of which displays rationality. "The essence of rational conduct therefore is private appropriation."[1] There are ample references in the Second Treatise to substantiate Macpherson's conclusion.[2] The class with property possesses rationality, while the wage earning class lacks rationality.[3] Macpherson's assertion, however, that these two classes are distinguishable by different sets of rights as well as by possessions and rationality is an exaggeration of the possible scope of Locke's conception. It is true that Locke's age "accepted great social and economic inequalities as a proper and inevitable feature of human life."[4] In other words, to some extent inequalities in expectations and, therefore, in rights existed in his society. But there is a "danger of using our historical knowledge to impute

[1] Ibid., p. 233.

[2] Second Treatise, sects. 26 and 34.

[3] See J. Dunn, op. cit., pp. 216-17 and 248, for counter arguments to Macpherson.

[4] J. Gough, op. cit., Introduction, p. xviii.

qualities and processes in a writer's work which he, given his limited period vision, could not possibly have conceived."[1] The dualism in rights posited by Macpherson is more applicable to the nineteenth century, the high point in laissez faire capitalism, than to the seventeenth century. The implications, then, of Locke's second conception must not be exaggerated.

The shift in the source of Locke's postulates, from the Christian to the economic conception, has a drastic effect on the meaning of the concept of consent. Consent becomes meaningful only in relation to the actions of the class with property. Only this class can claim sufficient free-will - independence from the wills of others - to exercise consent. The limited range of actions open to the class without property precludes its being able to exercise consent in any meaningful sense. On this point Macpherson's work deserves to be quoted:

> Once the land is all taken up, the fundamental right not to be subject to the jurisdiction of another is so unequal as between owners and non-owners that it is different in kind, not in degree: those without property are . . . depend-

[1] J. Dunn, op. cit., p. 207.

> ent for their very livelihood on those with property, and are unable to alter their own circumstances.[1]

Free-will and consent imply the existence of real choice. A man must have a number of alternative courses of action open to him from which he can choose the one that best serves his interests. Consent does not apply to an arrangement that a man enters simply for survival. For example, a coalminer in early nineteenth century England could hardly be said to have consented to an arrangement that required him to work long hours underground for a virtual pittance. His saying 'yes' to the recruiter of mine labour did not make the relationship one of consent.

Owing to the unclear relationship between rationality and appropriation, then, Locke's assertion that the economy of the state of nature is founded on universal consent is unconvincing. Only those who are rational and, therefore, acquisitive appear to have consented to the compact that launched the commercial economy. Moreover, even had the non-acquisitive been able to consent to arrangements at

[1] C. B. Macpherson, op. cit., p. 231.

the outset, they lose this ability once the economy is functioning and consent becomes a privilege of those holding property.

By the end of the chapter on property the equality posed in the first pages of the Second Treatise is very remote. It has long since given way to a state of inequality. All people are not in a position to consent to compacts. Consent is not a universal concept. This conclusion will clearly have momentous repercussions in the political area of the theory. The consent upon which the civil polity is based is supposed to be universally accorded. These findings surely indicate that only those with property are in a position to consent to the creation of government and thereby qualify for citizenship in the new polity.

IV

CONSENT AND KROPOTKIN'S TRILOGY: MUTUAL AID, JUSTICE, AND MORALITY

1. Introduction

Consent is an implicit concept in the theory of Kropotkin, not an explicit concept as in the liberal theory. The spirit of consent is conveyed through the free expression of man's natural instincts, and is the basis of the anarchist society. Sociability, which in practical terms may take the form of mutual aid, is an inherent quality in man. The social arrangements that arise from it are entirely voluntary. There is no need for political authority to compel men into cooperating with one another. Instead, as men are naturally cooperative, social life can be spontaneous and informal. The state and its institutions, instead of promoting social life, hinder it by stifling man's natural proclivity to sociability. Yet, in anarchist social theory, as in all other social theories, individual will is nonetheless ceded. For social life to be possible the individual must

surrender a part of his will. Even the most rudimentary social arrangement requires a man at times to overrule his immediate wishes in order to honour the terms of such an arrangement. However, whereas the liberal cession of will creates authority, the anarchist cession of will does not. In Kropotkin's theory, individual will is reduced simply to facilitate social relations that are naturally harmonious, not to institute an authority that ensures that people will be consistently sociable. Social relations are based on reciprocal giving, and, at a more advanced stage in evolution, on giving that expects no reward. They are conducted at close quarters as between individuals, not at a distance as between governments and their populations.

Kropotkin was convinced that the study of nature and human history amply validated these principles. In nature, conflict occurs primarily between members of the same species.[1] Cooperation and harmony prevail within homogeneous animal groups. Man, who is an integral part of natural evolution, as a species, exhibits the same cooperation and

[1]See Mutual Aid, pp. vii-viii, 298.

harmony in his inter-personal relationships. He developed from lower social animals and thus sociability was an essential element of his nature. Gradually, as man gained more experience in social living, he acquired more sophisticated qualities and attitudes. Life in society developed his instinct of mutual aid which was later augmented by the feelings of justice and benevolence. This is an organic, evolutionary process which, though faced by temporary sebacks and obstructions, follows an inexorable course. The assertion of all this Kropotkin vouched to be the result of a dauntless application of scientific method to animal and human behaviour in nature.

Through the evolution of human society Kropotkin traced the development of a corresponding naturalistic ethic. Behaviour in nature is definitely not amoral. Higher animal species observe a form of ethic which is inherited and refined by man. Kropotkin made it quite clear that his rejection of the metaphysical basis of morality did not necessitate the rejection of morality itself. The objective of his Mutual Aid and of his Ethics was, in fact, to

demonstrate the existence of morality in nature and to establish it on an entirely worldly, naturalistic footing. "The study of nature . . . must be able to give us the rational origin and sources of moral feeling."[1] It is asserted that any systematic observation of nature will demonstrate conclusively that morality is a natural product of the evolution of social life, not only of man but also of almost all living creatures.

Man in Kropotkin's theory is therefore bound by morality. However, the obligations that morality imposes are not deemed to be onerous. A man, by following the path that gives him greatest satisfaction, is automatically observing moral rules. True, he might choose a completely selfish course of action, but the feelings of remorse that follow soon after would direct him back to a moral course and community orientated living.[2] Within man's moral sense there is a conscience that acts as a check against non-moral behaviour. The entire moral apparatus - the rules,

[1] Ethics, p. 5.
[2] Ibid., pp. 40, 280, 325, 333.

the will to obey, and the punishments - is lodged within man himself. Man learns the rules, honours them, and is their custodian - all in the course of social living. The evolution of social life refines and strengthens the working of this system.

Kropotkin's morality is very different from that of Locke because it does not embody the same quality of 'oughtness'. In Locke's moral theory, men 'ought to' adhere to the rules of natural law, but as they cannot be relied upon to do so civil society is created to ensure obedience. Meanwhile, Kropotkin recognized "as the supreme law of human procedure merely a natural law, which, as such, does not tell us what ought to take place but what really will [and does] take place;these teachings may be called genetic."[1] Morality is a matter of what takes place, not what ought to take place. This quality is ascribed to the ethics on the grounds of the findings of scientific research. Except for the converted, however, the Ethics remains an assertion but not a demonstration of the anarchist ethics.[2]

[1] P. Eltzbacher, Anarchism: Exponents of the Anarchist Philosophy, p. 185.

[2] See J. W. Hulse, Revolutionists in London, pp. 166-92, for a good introduction to Kropotkin's ethics.

Consent, then, functions within the context of this morality. The arrangements entered into by men through consent, which in an anarchist world means all social arrangements, have to comply with the rules of morality. Any study of consent, therefore, becomes a study of morality. Only through a study of the theorist's ethics, his formal coming to terms with and enunciation of morality in man, can an answer be given to the question, to what do men consent?

Moreover, as man's ability to consent to an arrangement is affected by his material condition, the economic factors must also be examined. Mutual aid is the foundation of Kropotkin's economics as well as of his ethics. Reciprocal assistance is the means to efficient production and general prosperity. This economic procedure sees men consenting to assist each other in the business of securing their material needs. It exists in a state of economic equality.

2. Kropotkin's Ethics

> Mutual Aid - Justice - Morality are thus the consecutive steps of an ascending series revealed to us by the study of the animal world and man. They constitute an organic necessity . . . a universal law of organic evolution.[1]

In enunciating his ethics, Kropotkin presented these three distinct stages as part of a progression in evolution. As man increased his experience of social living, he moved from one stage to the next. The instinct of mutual aid was refined into the sense of justice, and the sense of justice was in turn converted into the feeling of benevolence, which is the essence of morality. Morality proper appeared only when the third stage was reached, where men felt the need to give without expecting reward. The act of 'self-sacrifice', or genuine altruistic behaviour, is a natural expression of this morality.

Kropotkin appears to have passed through similar stages in his thinking on morality. In Mutual Aid and his earlier pamphlets[2], morality is presented almost solely in terms of mutual aid, a principle which is essentially utilitarian in basis.

[1] Ethics, p. 30.

[2] See R. Baldwin, ed., Kropotkin's Revolutionary Pamphlets.

Men cooperate in promoting the common good because it is obviously in everybody's best interests to do so. A man assists his neighbour as he stands to gain when the favour is returned. The bases of a higher morality are suggested but are still only nascent. Justice as the equality of men recognized by the practice of mutual aid is tentatively suggested. A few quotations taken from the pamphlets will illustrate these incipient principles. Kropotkin asserted that man's progress to date was due to "the practice of mutual aid, to the customs that recognized the equality of men . . ."[1] And the working principle - "'Treat others as you would like them to treat you under similar circumstances' - translates into the single word solidarity."[2] The concept of human "solidarity" remains to be refined into its components: sympathy, benevolence and self-sacrifice.

Only in Ethics: Origin and Development, published posthumously, are the consummate ethics

[1] P. Kropotkin, Anarchism: Its Philosophy and Ideal, p. 25.

[2] P. Kropotkin, Anarchist Morality, p. 19.

of Kropotkin presented. In the Ethics, the course of man's social and moral development, by which he graduates from the practice of mutual aid to a sense of justice, and from a sense of justice to a feeling of benevolence, is traced. In his well developed state man manifests all three qualities. The course of this development needs to be examined in more detail.

Mutual aid was very soon practiced by animals of the same species as a means to self-preservation. This point is presented forcefully in both Mutual Aid and the Ethics. Kropotkin wrote:

> I failed to find in my travels - although I was eagerly looking for it - that bitter struggle for the means of existence, among animals belonging to the same species, which was considered by most Darwinists [though not always by Darwin himself] as the dominant characteristic of the struggle for life, and the main factor of evolution.[1]

Instead, he found that:

> warfare in nature is chiefly limited to struggle between different species . . .[2]

Kropotkin accepted the fact that conflict is permanent in nature but saw it occurring only between, not

[1] Mutual Aid, p. vii.
[2] Ethics, p. 14.

within, species. Carnivorous animals are present as a check against over-multiplication.[1] The rigours of nature advance rather than hinder the practice of mutual aid. Mutual aid is practiced because it is the "best weapon of a species against the rigours of the natural elements and the predation of other species."[2] Utility is the raison d'être of mutual aid.

Man, also, adopted the practice of mutual aid, as he was developing in the same rigorous natural environment. The desire for survival drove men together for protection and for the more efficient collection of food. Together, man and the higher animals learned the art of survival. The worlds of the animals and of man are one in the process of evolution. Kropotkin asserted that "Nature has to be recognized as the first teacher of mankind"[3], but man was part of this "Nature". He was both the observer and the object being observed. Man's instinct of mutual aid developed, since he respected the lessons of nature for their expediency.

[1] Mutual Aid, p. viii.
[2] Ethics, p. 14.
[3] Ibid., p. 45.

The utilitarian origin of the morality is quite clear. In fact, Kropotkin went as far as to write, "good is that which is considered useful for the preservation of the race."[1] But this applies only to the primordial stage in man's moral development. Mutual aid as the basis of morality is transcended by higher bases: "It is on this foundation that the higher sense of justice, or equity, is developed, as well as that which it is customary to call self-sacrifice."[2] Mutual aid becomes the foundation of morality. The working principle of morality had been: "Treat others as you would like them to treat you under similar circumstances."[3] Self-interest was the focus of this morality. At a higher stage in evolution morality acquires a new basis. Here, morality begins only when men act out of sympathy for others. The interests of others and of the community are the foci of the 'new' morality.

Yet, the utilitarian foundation of the

[1] Anarchism: Its Philosophy and Ideals, p. 13.
[2] Ethics, p. 16.
[3] Anarchist Morality, p. 19.

morality remains. It affords a convincing argument for the dominance of the social over the individual instinct. "The happiness of each is closely bound up with the happiness of all about him."[1] The happiness of the individual is dependent on the happiness of others. This is how Kropotkin proceeded to reconcile the two apparently hostile qualities in man, altruism and egoism. For this reason Kropotkin, along with Darwin, asserted that "it is the social instinct which is the stronger, the more persistent and the more permanently present."[2] Although the individual instinct at times dominates, in the long run the social instinct is triumphant. This check on egotistical action failing, Kropotkin has one further check in reserve, conscience. Men are prone to hedonistic behaviour, but the feeling of remorse that follows activates the social instinct.[3] The social instinct is therefore the more resilient, active instinct. Utility is its most palpable advantage.

[1] Ibid., p. 33. See Mutual Aid, p. xiii.
[2] Ethics, p. 43.
[3] Ibid., p. 333. See ibid., pp. 280, 325, 40.

Man, nevertheless, progressed beyond the stage where he possessed no more than a social instinct that was gratified through the practice of mutual aid. "The same conception mutual aid had to evolve gradually into the conception of justice, as is suggested by the very origin of the word - AEquitas, Equite, which denotes the conception of justice, equality."[1] Justice, in the anarchist view, implies a recognition of the equality of all men.

Having acquired the sense of justice, man was now able to conceive morality itself:

> With the development of progress and culture, the human mind becomes more sensitive to suffering and acquires the capacity of feeling not only its own pain and suffering, but also of living through the sufferings of other men and even animals. As a result man develops the feeling of commiseration, which constitutes the basis of morality and the source of moral acts.[2]

Morality derives from man's ability to transcend his own sensations by 'experiencing' the sensations of others, that is, to commiserate. Here, in essence, is the moral sense that makes man a truly moral being. As reported by Kropotkin, Darwin maintained that

[1] Ibid., p. 74.
[2] Ibid., p. 243.

> Any animal whatever . . . endowed with well-marked social instincts . . . would inevitably acquire a moral sense, or conscience . . . as soon as its intellectual powers had become as well, or nearly as well, developed as in man.[1]

Given the proviso of intellectual powers, an animal is not likely to acquire a moral sense, but in the context of Kropotkin's theory of natural evolution it always remains a conceivable possibility. Even at the present point in evolution, Kropotkin argued, all animal behaviour is not in accord with utility. Members of some animal species will render assistance to a fellow in situations that do not promise personal gain. Men are endowed with a similar instinct, which leads them to serve their fellows far beyond their obligations and their own personal interests. Kropotkin used a variety of terms to identify this instinct. In the earlier works it was referred to as "an instinct of human solidarity."[2] In the later works it was broken down into love, sympathy, benevolence, altruism and self-sacrifice. Yet, whichever term is used, the feeling is the same. It is the source of higher moral feelings and is founded on mutual aid.

[1] Ibid., p. 31.
[2] Mutual Aid, p. xiii

> In the same instinct [mutual aid] we have the origin of those feelings of benevolence and of that partial identification of the individual with the group which are the starting point of all the higher ethical feelings.[1]

How does man's moral sense function in real situations? Kropotkin offered two answers, one positive and one negative. First, man heeds the demands of his moral feelings because of the personal satisfaction that it gives. Kropotkin declared that "we always act in that direction in which at the given moment we find the greatest satisfaction."[2] Generally, it is the direction of justice and selfless action. The highest instincts in man are moral and he is happiest when they are being gratified. Hence, moral behaviour is directly related to satisfaction.

Second, Kropotkin was fully aware that man's egotistical qualities can easily disrupt this relationship. Hedonism and selfishness may lead a man to ignore the demands of his moral sense. Implicit, however, in the moral sense is a watchdog - conscience or feelings of remorse:

[1] Ethics, p. 16.
[2] Ibid., p. 333.

> . . . when a man does not hearken to the voice of the feeling of social sympathy, and follows some opposite feeling, as hatred for others, then after a brief sensation of pleasure or gratification he experiences a feeling of inner disatisfaction, and an oppressive emotion of repentance.[1]

The pleasures of egotistical behaviour are ephemeral, while the satisfaction of moral behaviour is enduring.

Kropotkin shared with Hume a belief in the retrospective working of the moral sense. Hume believed that normative judgement is possible only when we reflect quietly on a subject, using 'disinterested passion' but not reason. In this state the subject is met by a sentiment either of approbation or disapprobation.[2] The moral sense indicates whether the action being considered is right or wrong. Kropotkin appears to have joined Darwin in the latter's belief that "Moral conscience . . . has always a retrospective character; it speaks to us when we think of our past actions."[3] Kropotkin stands firmly in the 'moral sense' tradition of Hume, Darwin, Spencer, and Guyau. He was particularly indebted to the French philosopher

[1] Ibid., p. 280.

[2] See S. Benn and R. Peters, Social Principles and the Democratic State, p. 40.

[3] Ethics, p. 40.

Guyau for many of his later ideas on morality.[1]

Kropotkin's treatise on the basis of morality without obligation (in the traditional sense) and without the sanction of religion gives an interpretation of morality that is consistent with the secular optimism of the early twentieth century. The source of moral conceptions is found in nature and man. Mutual aid is the foundation of the moral conceptions that lead men to the justice of equality and finally to sympathy and even self-sacrifice.

3. Mutual Aid and Economics

Mutual aid is important as much for its economic as for its moral significance. The preceding argument has established the utilitarian, hence economic, foundation of mutual aid. Any principle that fulfils the demands of utility, by working to meet man's material needs, is thereby economic. Higher moral feelings can develop only when man's survival has been assured. "These

[1] Ibid., pp. 322-30.

unselfish feelings and habits, usually called by the somewhat inaccurate names of altruism and self-sacrifice, alone deserves, in my opinion, the name morality."[1] Mutual aid does not fully qualify. It contains the selfish element that expects assistance rendered to be reciprocated. Mutual aid certainly functions in animal communities, but the question may be asked - do animals expect reciprocity? I suggest that, though animals are probably unable to enter the deliberate reciprocal arrangements possible to man, they no doubt appreciate the general terms of reciprocity. For example, some animal species instinctively group together in herds for protection, each member expecting protection from, while at the same time affording protection to, the other members of the herd. The instinctive nature of the arrangement in no way undermines its reciprocal basis.

The sociability founded on mutual aid, then, heralds but is not, strictly speaking, part of moral behaviour. In an advanced society the two are complementary, the first meeting man's material needs

[1] Ibid., p. 30.

and the second satisfying his moral instincts. Mutual aid is founded on utility and derives from the postulate that the material needs of one and all are best met through cooperative production. These two categories, however, should not be regarded as being mutually exclusive. Mutual aid, to be the foundation of morality, must itself embody incipient moral qualities.

Above all, mutual aid pays material dividends. The utilitarian justification of mutual aid, which has already been discussed,[1] cannot be over-emphasized. Kropotkin realized that "the strongest of all the instincts of man, and more so of animals, is the self-preservation instinct."[2] He believed that the first men satisfied this instinct by immediately cooperating in the business of securing food, clothing and shelter. Having developed from the social animal species, man inherited their experience and practice of mutual aid. To man, banding together for protection and production was the only sensible way to organize his affairs. In view of the evolutionary experience,

[1] See above, pp. 69-71.
[2] Ethics, p. 42.

man really had no choice. As man in Locke's state of nature adopted a very different course of action to solve the problem of survival, it is apparent that both accounts of man's primordial experience are founded on postulates. Mutual aid subsumes two economic postulates: the first sees man as being naturally unacquisitive and the second regards communal methods of production as being more efficient than individualistic methods. (To be unacquisitive simply means that one does not want to acquire more than what is necessary to meet one's needs. Men do not set out to accumulate surpluses.) Kropotkin's belief that he was dealing with propositions that had been validated by the findings of science does not alter the fact that these are postulates.

Furthermore, Kropotkin's conception of economic life embodies equality, which is the essence of his understanding of justice. "Justice is the recognition of equity, and of the striving of men for equality, and this is the basis of all our moral conceptions."[1] This recognition is also the basis of mutual aid and

[1] Ibid., p. 278.

economic activity. All men have an equal right to happiness, so everyone should enjoy the benefit of mutual aid which works to this end. Men are also obliged to sustain the practice by rendering aid on the expectation that it will be reciprocated. There need not be absolute equality in terms of the assistance rendered by each man. After all, men's physical attributes are not identical. Some men are fitter than other men. They are more capable of rendering aid and require less aid. Here, the morality interposes economic activities, that is, the moral feelings of sympathy and benevolence induce the stronger man to assist his weaker neighbour. In Mutual Aid Kropotkin declared that "the fittest are the most sociable"[1], which means that they are the most committed to mutual aid. All past progress is attributed to "the practice of mutual aid, to the customs that recognised the equality of men and brought them to ally, to unite, to associate for the purpose of producing and

[1] Mutual Aid, p. 58.

consuming . . ."[1]

The equalitarian spirit of production by mutual aid rules out private property and the wage system:

> The means of production and of satisfaction of all needs of society, having been created by the common efforts of all, must be at the disposal of all. The private appropriation of requisites for production is neither just nor beneficial.[2]

Everyone has contributed to the productive effort, so no one is entitled to appropriate for himself items from its product. Furthermore, private appropriation engenders the wage system as capital is now available from which men can pay others to labour for them:

> The present wage-system has grown up from the appropriation of the necessaries for production by the few; it was a necessary condition for the growth of the present capitalist production.[3]

Men on no account must be separated from their labour and its production. So long as this direct relationship between man, his labour, and production is maintained, individual dignity and social equality

[1] Anarchism: Its Philosophy and Ideal, p. 25.

[2] Anarchist Communism: Its Basis and Principles, quoted from Krimerman and Perry, eds., Patterns of Anarchy, p. 227.

[3] Ibid.

are secure. Kropotkin was vehement in his rejection of the wage system, asserting that a man remains a slave to him who is paying the wages, whether the latter be the factory owner or the state.[1] For this reason, the masses favour communistic methods of production and distribution.

For Kropotkin, the resilience shown by mutual aid in having survived competition with, and periodic subordination to, the hostile forces of capitalist production engendered by the state and its institutions was surely a tribute to its utility. "Mutual aid [has] survived the viscissitudes of war, devastation and other calamities."[2] This is largely because the masses and peasantry had taken custody of mutual aid. In the face of often virulent opposition the masses stood firm in its defence. Such tenacity has been shown because "the village community institutions so well respond to the needs and conceptions of the tillers of the soil. [Consequently], in spite of all, Europe is up to this date covered with living survivals of the village communities."[3]

[1] Anarchism: Its Philosophy and Ideal, p. 15.
[2] Mutual Aid, p. 233.
[3] Ibid., p. 236.

Kropotkin, besides objecting on fundamental grounds of principle, remained sceptical about the efficacy of the new, capitalist modes of production. He believed that the institutions of mutual aid had proved their worth, whereas the new modes of production were no more than "theories". For example, the 'mir' (Russian agrarian commune) had established its value, "but the most charitable thing that can be said of these theories [intensive culture on the basis of private ownership] is that they have never been submitted to the test of experiment: they belong to the domain of political metaphysics."[1] This assertion is rather incredible in view of the fact that the late nineteenth century was the heyday of 'free enterprise' capitalist production in Britain and North America. Yet, the success of this mode of production in meeting the needs of those involved in it is certainly suspect.

One cannot help suspecting that Kropotkin's economic theory presupposes material abundance, that is, that there is sufficient quantity of goods to go around, so that competition is unecessary. For the contemporary age, at least, he suggested as much:

[1] Ibid., p. 255.

> For the first time in the history of civilisation, mankind has reached a point where the means of satisfying its needs are in excess of the needs themselves. To impose, therefore, as has hitherto been done, the curse of misery and degradation upon vast divisions of mankind, in order to secure well-being and further mental development for the few, is needed no more: well-being can be secured for all.[1]

There is little doubt that modern science has granted man the means of satisfying his needs, but the achievement of this satisfaction depends on whether, or not, individual men are acquisitive, beyond the satisfaction of their material needs. Kropotkin postulated that man is not naturally acquisitive.

4. The Postulates and Consent

Although Kropotkin, faithful to the anarchist credo, was anxious to reserve a high level of free action and initiative for the individual, his social theory automatically set limits. Any social theory, by virtue of its envisaging men living together in societies, involves the curtailment of individual will. Only a theorist like Hobbes, who posited an amoral, asocial man, could avoid this problem. Man in Kropotkin's theory is definitely moral and social,

[1] Ethics, p. 2.

and is thereby contained by a body of moral and economic postulates.

In developing his naturalistic ethics, Kropotkin endeavoured not to burden the individual with restrictive obligations:

> A most important condition which a modern ethical system is bound to satisfy is that it must not fetter individual initiative, be it so high a purpose as the welfare of the commonwealth or species.[1]

Since nature and man are the source of moral conceptions, he argued, morality does not curb individual will. Man is simply responding to moral urges from within himself. He is not compelled to show obedience to a set of moral rules that stand without. Kropotkin was determined to dispel this traditional understanding of morality. He endorsed the ideas of Guyau on the nature of ethics:

> Ethics, according to Guyau, should be a teaching about the means through which Nature's special aim is attained - the growth and development of life. The moral element in man needs, therefore, no coercion, no compulsory obligation, no sanction from above; it develops in us by virtue of the very need of man to live a full, intensive productive life.[2]

[1] Ibid., p. 27.
[2] Ibid., p. 323.

The "moral element", or moral sense, in man develops and functions of its own accord. It expresses approval or disapproval of actions submitted for its judgement, not requiring direction or coercion from without. The moral pronouncements of religion and metaphysics are superfluous, indeed, invalid, as is the machinery that enforces obligation.

Anarchist social theory, even more so than its morality, is purported to liberate, not confine, individual initiative and capacities. The society in possession of the 'new philosophy'

> seeks to establish a certain harmonious compatibility in its midst - not by subjecting all its members to an authority that is . . . supposed to represent society . . . but by urging all men to develop free initiative, free action, free association.[1]

The state and all its institutions, such as government and law, are thereby deemed unnecessary. Social harmony can be achieved through allowing the free expression of man's cooperative instincts. The whole range of communal institutions that are steeped in the practice of mutual aid could be the basis of the new society. Kropotkin's anarchism is, above

[1] Anarchism: Its Philosophy and Ideal, p. 8.

all, a doctrine of individualism. "We renounce the idea of mutilating the individual in the name of any ideal whatsoever."[1]

Yet, in spite of his intense resolve to leave individual will undiminished, Kropotkin could not circumvent the consequences of social theorizing. The very act of casting man into a social setting involves a diminution in individual will. Social life, however free it may seem to be, results in restrictions on individual action. Eltzbacher has indicated how even in an anarchist commune a man must fulfil his obligations or, if he does not, face the possibility of expulsion:

> Men may join themselves together by 'contracts' to form such communes. . . . It will not be necessary to compel the fulfilment of these contracts, there will be no need of penalties and judges. . . . Yet he who does not live up to his obligations can of course be expelled from the fellowship.[2]

Kropotkin was not a utopian; his theory does not rely for its tenability on the existence of a superior human being.[3] Men may err, and in such an event they have to be corrected. Every society needs rules

[1] Anarchist Morality, p. 27.
[2] Eltzbacher, op. cit., p. 106.
[3] See Anarchism: Its Philosophy and Ideal, p. 21.

to survive.

Kropotkin's view of human nature and his conception of society envisage a certain type of performance from the individual. The nature of the individual's performance is determined by the postulates upon which the theory is based. Men are expected to fulfil the requirements of mutual aid and exhibit the qualities of sympathy and benevolence. Yet, it is impossible to challenge on its own terms a theory that declares that this 'is' how men behave and not that this is how men 'ought to' behave. But unless one is convinced that the claim has been adequately substantiated, the subject remains open to debate on the basis of 'ought'. As one who remains to be convinced, I see individual action in Kropotkin's theory as being circumscribed by postulates that prescribe how men 'ought to' behave.

Consent, which is dependent on individual free will for its meaning, is similarly circumscribed. Central to the ethics is the postulate that man possesses a moral sense which gives rise to feelings of sympathy and benevolence for others. Men thus extend sympathy toward their fellows and act

altruistically, with no view to personal gain. The anarchist society relies on this behaviour to eliminate the inequalities in men's natural endowment. Men are born into the world with unequal abilities, but the disadvantages suffered by the weak are offset by the assistance rendered by the strong.

With regard to the economic arrangements, the basic postulates are that man is not naturally acquisitive and that co-operation through the practice of mutual aid is the most efficient means of production.

Now, these moral and economic postulates may be at variance with the 'real' qualities and attitudes of some men. However, if the theory is to be viable when applied to the real world, men will have to behave in accordance with the postulates. It is not yet clear that this is how men behave, so the viability of the theory remains in doubt. The theory orientates individual action towards society. In conclusion, consent, which is free will exercised to create social arrangements, must be considered in the light of this general orientation and the postulates that it implies.

V

CONCLUSION

I hope to have demonstrated in the preceding discussion how the concept of consent has a distinct application in each of the two social theories considered. The difference between the various postulates of each theory are conveyed through the active meaning given to consent. Consent thereby becomes an integral part of the theory. It is not a unitary concept that retains its meaning regardless of the particular social theory in which it is seen to work. As the social theory to which it is applied is changed the active meaning of consent is similarly altered. By choosing two social theories which are as different as those of Locke and Kropotkin, it was hoped to highlight this agreement between the concept and the theory. The functions of consent in each theory are as different as the theories themselves.

Since the meaning of consent is directly related to the theorist's postulates, the source and content of the postulates were examined. Behind

the theory there is the theorist's conception of himself and others as human beings and how they are related to society. This conception is clearly drawn from the society known to the theorist. Although a theorist may try to found his social theory on wider experience, perhaps gained vicariously from a study of history, the influence of his own society remains. Locke's social theory is founded on two conceptions of man and society, one based on the principles of Christian equality and the other on the rigours of a competitive, market economy. The use of two conceptions caused certain inconsistencies and ambiguities in his deductions. By contrast, Kropotkin maintained the internal consistency of his social theory by utilizing only one conception of man and society. His conception envisaged men who worked harmoniously together to promote their common interests. Perhaps this conception was inspired by Russian agrarian communalism and the Populist movement. There was certainly a sufficiently strong Russian communal tradition to allow such a conception.

The conception is, therefore, the source of

the theorist's postulates. From his conception of the Christian communion Locke inherited the postulates that men are inherently rational and equal. Meanwhile, essential to his conception of the market economy are the postulates that men are innately acquisitive and that the satisfaction of man's material needs is inevitably a competitive, individualistic business. Locke's moral and economic conceptions are incompatible, exposing the basic dualism of his theory. Kropotkin's conception, however, though it has a moral and an economic aspect, is a unified whole. The postulate that man has a moral sense that gives rise to feelings of sympathy and benevolence which prompt him to assist others without expecting personal gain is derived from the moral aspect. This is complemented by a postulate from the economic aspect. Man is assumed to be unacquisitive and co-operation through mutual aid is viewed as the most expedient means of production. The moral and economic postulates complement each other to form the basis of the anarchist conception of society. Pervading this conception is the anarchist understanding of justice as a recognition of the equality of all men.

Consent, as the exercise of individual will to form social arrangements, is obviously affected by the type of arrangements envisaged by the theorist's conception(s) of society. Men will consent, or withold their consent, to arrangements as is required by the particular conception. Consequently, in Locke's state of nature consent is excluded from the process of appropriation, men consent to the creation of money, and, consent becomes a meaningful right only for those with property. The universal right of consent, implicit in natural law, has been eliminated to allow the conception of the market economy to be realized.

The working of consent in Kropotkin's theory is similarly determined by the arrangements upon which his conception of society is based. Here, consent is implicit in the free individual action that is involved in natural cooperation. Men consent to arrangements of mutual aid and benevolence. Self-centred action has no place in this view of society. Yet, consent is a universal right and its application is consistent.

The concept of consent is an integral part of the social theory in which it is seen to function. It has no existence or meaning apart from that theory.

SELECTED BIBLIOGRAPHY

BACKGROUND STUDIES IN POLITICAL PHILOSOPHY

Barker, Ernest. Principles of Social and Political Theory. Oxford: Clarendon Press, 1951.

Benn, S. I., and Peters, R. S. Social Principles and the Democratic State. London: Allen and

Berlin, Isaiah. Two Concepts of Liberty. Oxford: Clarendon Press, 1958.

Gierke, O. F. Von. Natural Law and the Theory of Society, 1500-1800. Cambridge: University Press, 1958.

Kaplan, Abraham. The Conduct of Inquiry. San Francisco: Chandler, 1964.

Laslett, P., and Runciman, W. G., eds. Philosophy, Politics and Society. Oxford: Blackwell, vol. I 1956, vol. II 1962, vol. III 1967.

Oakeshott, Michael. Rationalism in Politics. London: Metheun and Co., 1962.

Plamenatz, J. Consent, Freedom and Political Obligation. Oxford: Clarendon Press, 1938.

Plamenatz, J. Man and Society. vol. I, London: Longmans, 1963.

Popper, Karl. The Open Society and its Enemies. vol. I, London: Routledge, 1945.

Runciman, W. G. Social Science and Political Theory. Cambridge: University Press, 1963.

Weldon, T. D. The Vocabulary of Politics. London: Penguin, 1955.

Weldon, T. D. States and Morals. London: Murray, 1962.

Quinton, A., ed. Political Philosophy. Oxford: University Press, 1967.

EDITIONS OF LOCKE'S THEORY

Locke, John. The Second Treatise of Government. Edited and with an Introduction by J. W. Gough, 3rd ed. Oxford: Blackwell, 1966.

Locke, John. Two Treatises of Government. Edited and with an Introduction by P. Laslett, revised ed. New York: Mentor Books, 1965.

Locke, John. Essays on the Law of Nature. Edited by W. Von Leyden. Oxford: 1954.

Locke, John. An Essay Concerning Human Understanding. Edited and Abridged with an Introduction by A. D. Woozley. London: Fontana, 1969.

STUDIES OF LOCKE'S POLITICAL THEORY

Aaron, R. I. John Locke. Oxford: Clarendon Press, 1955.

Abrams, Philip. John Locke: Two Tracts on Government. Cambridge, University Press, 1967.

Cox, R. H. Locke on War and Peace. Oxford: Clarendon Press, 1960.

Dunn, J. The Political Thought of J. Locke. Cambridge: University Press, 1969.

Gough, J. W. John Locke's Political Philosophy. Oxford: Clarendon Press, 1950.

Gough, J. W. The Social Contract. Oxford: Clarendon Press, 1936.

Kendall, W. John Locke and the Doctrine of Majority Rule. Urbana, Illinois, 1941.

Macpherson, C. B. The Political Theory of Possessive Individualism. Oxford: University Press, 1962.

Yolton, J. W. ed. John Locke: Problems and Perspectives. Cambridge: University Press, 1969.

Note:

Hobbes, T. Leviathan. Edited with an Introduction by W. Oakeshott. Oxford: Blackwell, 1965.

ANARCHISM: GENERAL STUDIES AND HISTORIES

Avrich, P. The Russian Anarchists. Princeton: University Press, 1967.

Carr, E. H. Michael Bakunin. London: Macmillan, 1937.

Cole, G. D. H. Socialist Thought: Marxism and Anarchism, 1850-1890. London: Macmillan, 1957.

Eltzbacher, P. Anarchism: Exponents of the Anarchist Philosophy. London: Free Press, 1960.

Horowitz, I. L. ed. The Anarchists. New York: Dell, 1964.

Hulse, J. W. Revolutionists in London. Oxford: Clarendon Press, 1970.

Krimerman, L. and Perry, L. eds. Patterns of Anarchy. New York: Anchor, 1966.

Maximoff, G. P. The Political Philosophy of Bakunin. Glencoe, Illinois: Free Press, 1953.

Pyziur, E. The Doctrine of Anarchism of M. A. Bakunin. Milwaukee: Marquette University, 1955.

Woodcock, G. Anarchism. Cleveland: Meridian, 1961.

Woodcock, G. and Avakumovic, I. The Anarchist Prince. London: Boardman, 1950.

Yarmolinsky, A. Road to Revolution: A Century of Russian Radicalism. London: Cassell, 1957.

WORKS OF KROPOTKIN

Pamphlets:

Kropotkin, P. The Commune of Paris. London: Freedom Press, 1895.

Kropotkin, P. Anarchist Morality. London: Freedom Press, 1895.

Kropotkin, P. Expropriation. London: Freedom Press, 1895.

Kropotkin, P. The Wage System. London: - , 1893.

Kropotkin, P. Anarchism: Its Philosophy and Ideal. London: Freedom Press, 189-.

Kropotkin, P. Anarchist Communism. London: Freedom Press, 1896.

Kropotkin, P. Modern Science and Anarchism. London: Freedom Press, 1912.

Kropotkin, P. An Appeal to the Young. Translated by H. M. Hyndman. London: Twentieth Century Press, 1895.

Kropotkin, P. The Place of Anarchism in Socialist Evolution. London: Freedom Press, 1890.

Kropotkin, P. Law and Authority: An Anarchist Essay. London: - , 1886.

Kropotkin, P. The State: Its Historical Role. London: Freedom Press, 1899.

Baldwin, R. ed. Kropotkin's Revolutionary Pamphlets. New York: Vanguard Press, 1927. This volume contains most of the pamphlets listed.

Books:

Kropotkin, P. Mutual Aid: A Factor of Evolution. London: Heinemann, 1915.

Kropotkin, P. Ethics: Origin and Development. New York: Harrap, 1925.

Kropotkin, P. Memoirs of a Revolutionist. Boston: Houghton-Miffin, 1930.

MISCELLANEOUS

Hartog, S. R. "The State of Anarchy: The Political Philosophy of Prince Peter Kropotkin." M. Sc. thesis, University of London, 1963.

Read, H. "Pragmatic Anarchism." Encounter 30 (Jan. 1968)

Read, H. Poetry and Anarchism. London: Freedom Press, 1947.

Read, H. The Philosophy of Anarchism. London: Freedom Press, 1940.

Shaw, G. B. The Impossibilities of Anarchism. London: Fabian Society, 1893.

Simon, M. "John Locke, Philosophy and Political Theory." American Political Science Review, vol. XLV, no. 2, 1951, pp. 386-99.