

GENESIS OF THE CIVIL SOCIETY CONCEPT IN T. HOBBS, J. LOCKE, A. SMITH AND G. HEGEL WORKS

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Abstract: *the article analyzes the genesis of the concept of civil society in works of such philosophers and economists as T. Hobbes, J. Locke, A. Smith and G. Hegel. It presents the development of the concept and complexity of such category as civil society. The concept of the civil society was viewed from different aspects and was explained by different reasons. The difference between all of these ideas demonstrates that the concept of civil society is complex social phenomenon, whose study is influenced by historical, economic and cultural conditions.*

Keywords: *genesis, concept, civil society, approach, theory.*

ГЕНЕЗИС КОНЦЕПТА ГРАЖДАНСКОГО ОБЩЕСТВА В ТРУДАХ Т. ГОББСА, ДЖ. ЛОККА, А. СМИТА И ДЖ. ГЕГЕЛЯ Осипова М.Р. (Российская Федерация)

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Аннотация: *в статье анализируется зарождение концепта гражданского общества в трудах таких философов и экономистов, как Т. Гоббс, Дж. Локк, А. Смит и Дж. Гегель. В ней также представлены развитие концепта гражданского общества и сложность категории гражданского общества. Концепт гражданского общества рассмотрен с различных подходов и объяснен разными причинами. Различие идей гражданского общества подтверждает трудность данного социального феномена, изучение которого обусловлено влиянием исторических, экономических и культурных условий.*

Ключевые слова: *генезис, концепт, гражданское общество, подход, теория.*

The concept of civil society developed in political and sociological theories at the time when there were transitions from authoritarian rule toward more liberal democratic governments in different countries in Eastern and Central Europe, South America, and, also, Asia and Africa. The idea of the Civil Society is often used to acquit struggles against communist and military dictatorships. More and more politicians, public persons and mass media use the term of civil society, but what does it mean exactly? Despite the term civil society use wide, its definition remains unclear and it has a lot of interpretation. It is important to investigate the genesis of the civil society concept for better understanding the existence of this phenomenon.

Thomas Hobbes, who is an English philosopher of XVII century, was the first of scientific researches of civil society in the age of Reasoning. His ideas about civil society are presented in such his works as “On the citizen” and “Leviathan or The Matter, Forme and Power of a Common-Wealth Ecclesiasticall and Civil”. Hobbes’ theory can be considered as very pessimistic but the role of political problems that he witnesses during his lifetime in shaping his theory cannot be underestimated. Such things as 30 Years War, First and Second Bishops’ War, Scottish invasion of England, Irish Rebellion and English Civil War existed at the time of his life and that conditionals had a huge influence on his ideas.

On Hobbes opinion, it is important to understand the nature of person. What are reasons for making people to create state? Hobbes considers, that man is not social animal by nature, all of them have envy and desire of power. So, each of person can be enemy for others, because of aggression and aspiration to rule are “normal” things inside all of people. Thus, in simple words, people joined together, because they wanted to live in safety and peaceful world.

Hobbes believes that the state of nature in history was a “state of warre” during which all individuals struggled against all other individuals, co-called, war of everyone against everyone[4, pp. 228-329]. “Hereby it is manifest, that during the time men live without a common Power to keep them all in awe, they are in that condition which is called Warre; and such a warre, as is of every man, against every man.”

Hobbes considers human beings as rational egoists that always look for the maximization of their self-profits, and he tries to explain the development from the state of nature or in other words the state of war in which all individuals are against all individuals, to the organized state by humans' realization that it is more beneficial to live in a formed state[11, pp. 109-128]. According to Hobbes, there are two types of human beings, which are pre-governmental and man-made or simulated states.

On his opinion, humans are naturally equal and this increases the competition for limited resources between people, especially in a world without a central mandatory power in which even the weakest can beat the strongest by taking help from others or by using weapons, etc. And thus "from equality proceeds diffidence" (Leviathan, pg 184). So, in a stateless stage individuals have the motive to compete with others in a very adverse sense. In addition, they live with the fear of being killed or losing what they have. The necessity to change social structure of the society is a kind of solution of this, because government, policy, court, army can keep security of person within the society (state). Hobbes emphasis on three types of government: democracy, monarchy, aristocracy. The mutual agreement (social contract) of people on the restriction of their natural rights should lead to the creation of a state with a monarchical political structure and it is the monarch who has unlimited rights, can guarantee the rights of citizens. He thinks, that the best form of state (type of government) is absolute monarchy and a monarch is a kind of presentation of agreement of each person with everybody that is real unity of all citizens. A monarch is given authority to represent citizens' rights and he has a power for controlling and providing safety. Thus, a lot of people united in this way in one person, called the state, in Latin - *civitas*.

We can conclude that for Hobbes, the state of nature is equivalent to a state of war. The only aim for human beings to come together is to protect themselves from the state of war and protect their safety as well as the security of property or other things. The concept of social contract of Thomas Hobbs, which explains the process of civil society genesis, is the basis for civil society idea. The civil society is based on laws, which help to protect human life and their property, and it implies rejection of a person from a part of his freedom in favor of security.

The development of idea of the civil society genesis exist in works of English philosopher and physician XVII century John Locke. The terms of "state of nature" and "social contract" were presented in his work "Two Treatise of Government". By contrast to Hobbes, he argues, that man is social animal by nature. However, they need create an agreement to guarantee the security of their life, liberty and property.

Locke also pays attention on the state of nature. He acknowledges that there are pre-governmental and governmental states. Moreover, he emphasis on existence of human rights and freedoms in pre-governmental state. Locke says, that in the state of nature men mostly kept their promises and honored their obligations, and, though insecure, it was mostly peaceful, good, and pleasant[5, pp. 189-205.]. This is the state of freedom towards actions and disposal of their property and personality. The property has a wide range of meanings, but Locke highlights the property as a work right. The work helps to distinguish what is your own property among the common property. By contrast to Hobbes, Locke describes the state of nature as a nature state characterized by human equality, freedom and property. One of the main guarantees of laws is inevitability of punishment, but the state of nature cannot to provide this guarantee, because one can punish too severely, another does not punish at all, so this process is chaotic and needed to control. The solution of this problem is renouncement from self-controlling of punishment for nature laws infringement and giving this rights to government as a result of social agreement. In other words, the basis for genesis of civil society is necessity of guarantee and control of nature right and laws.

Also, there is another difference between Hobbes' and Lockes' concepts. Locke believes that an absolute monarchy contradicts the social contract, because the essence of the latter is in the establishment of people of equal justice and law for all, and the absolute monarch does not have a judge at all, he is the judge in his own affairs, which, of course, contradicts natural law and law. Absolute monarchy is always tyranny, since there are no guarantees of natural rights. Locke believed that the people's riots against tyrannical power, encroaching on the natural rights and freedom of the people, were justified and even necessary. However, the main thing is that the organization of the government itself reliably guarantees the rights and freedoms from arbitrariness and lawlessness. That is the basis of the separation of powers concept, which is the theoretically grounded by Locke and reproduces a number of ideas of the period of the English revolution.

Legislative power is the supreme power in the state, because guarantee and embodiment of freedom is equal for all, universally binding and permanent law. Locke thinks that legislative and executive authorities should not be in the same hands, because the holders of power can adopt laws that are beneficial only to them and carry them out. Also, it is dangerous, when there is an empowerment of the legislative power of the monarch and government, because their political privileges are inevitably directed against the natural rights of the lieges. Legislative power is the supreme power in the sense that laws are strictly binding on the government, officials and judges[6, pp. 301-316.]. Locke theoretically substantiated the idea of the separation of powers by such features of human nature as the ability of the mind to create general rules and to govern it (the legislative power), the ability to implement one's decisions, apply general rules to specific situations (the court, executive power),

and finally the ability to determine its own relations with other people (this is the cause of the so-called union, or federative, power that knows the viability of relations).

Thus, according to Locke, civil society precedes the state, both morally and historically. Society creates order and grants the state legitimacy. The main goal of the state is to protect the natural rights of people, the rights to life, liberty and property. Locke focuses on the fact that people give the state only a part of their natural freedom. The social contract presupposes the responsibility of the state to citizens[7, pp. 252-269.]. If the state does not fulfill its duty to people, if it violates natural freedoms - people have the right to fight against such a state.

Adam Smith is a Scottish economist and philosopher of XVIII century, whose idea of civil society was developed in the economic aspect. He did not use the term of "civil society", but he spoke about such category as "nation". However, it is supposed that his aim was to shift the concept of civil society from the legal-political sense to the sense of the economic. Smith considered the organized state as, generally, an obstruction to social equilibrium and a growing economy due to the self-organizing character of society and the economy. Conversely, an expanding free market is the main guard of civil society because of its role as a custody against the potentially destructive power of the state. Adam Smith believed that building civil society is possible only on the basis of the "laissez faire" principle, that is, the principle of non-intervention. Smith thinks, that it is the economic connection, which connects people among themselves as producers of goods for the market, is seen as a real cement of society. Society exists, because everyone says: "Give me what I need, and you will get what you need". The creation of a state is absolutely necessary because there are some collective action problems that cannot be resolved by market mechanisms alone. "The system of natural liberty, the sovereign has only three duties to attend to,"[9, pp. 514-535] namely, defence, justice, and public works or infrastructure. Both internal and external defence is necessary for maximization of human happiness and permit commerce to flourish. When "[t]he natural effort of every individual to better his own condition" becomes possible under conditions of "freedom and security" the society will be prosperous and flourishing[10]. Smith doesn't distinguish pre-governmental and governmental states. The key difference is no longer between civil society and the natural state, but between society and the government, or between the nation and the state. In addition, with the shift from legal-political meaning to economic meaning, the concept of civil society or nation becomes dynamic: society is built with the development of the division of labor, increasingly being bound by interdependence ties. The reason for this development is that society is understood as a market society.

The next step in developing the concept of civil society was made by Georg Wilhelm Friedrich Hegel, who is German philosopher and an important figure of German idealism. Hegel's discussion of civil society in the "Philosophy of Right" offers an important key to understand his ideas about the process of civil society creation. He distinguishes civil society and political state. Hegel mentions that the state is the actuality of concrete freedom, but that concrete freedom requires personal individuality receive their own development and recognition[1, pp. 228-329]. Hegel wrote that individuals have to "pass over of their own accord into the interest of the universal, and, for another thing, they know and will the universal; they even recognise it as their own substantive mind; they take it as their end and aim and are active in its pursuit". This can be understood as the state as the result of the dialectical relationship between the universal and the particular wills of individuals. It is important to highlight that human individuals are united in families, and civil society grows out of families[2, pp. 159-178.]. The political state provides a synthesis between the principles governing the family and those governing civil society. Civil society does not constitute a state. Its purpose is to protect the material and moral interests of the individual. This explains the selfish, utilitarian and bourgeois spirit that prevails in small countries where civil society and the state are still inseparable. According to Hegel, the state differs from civil society in that it pursues not only the good of individuals, but strives for the realization of an idea, because of which, if necessary, it is ready to sacrifice private interests. The relationship between the state and different spheres of civil society is by Hegel as being both "An external necessity and.....their immanent end."

However, despite the search of private or selfish ends in relatively unrestricted social and economic activity, universality is implicit in the differentiation of particular needs because the welfare of an individual in society is intrinsically bound up with that of others, since each requires another in some way to effectively engage in reciprocal activities like commerce, trade, etc.

Civil society contains three elements:

1) the mediation of need and one man's satisfaction through his labour and the satisfaction of the needs of all others – the System of Needs.

2) the actuality of the universal principle of freedom therein contained – the protection of property through the Administration of Justice.

3) provision against emergency still lurking in systems (1) and (2), and care for particular interest, as a common interest, by means of the Public Authority and the Corporation.

The civil society involves the following of need satisfaction[3, pp. 178-228.]. Humans are different from animals in their ability to multiply needs and differentiate them in various ways, which leads to their luxury. Membership in a class is important for gaining status and recognition in a civil society. Hegel says that "A man actualizes himself only in becoming something definite, i.e., something specifically particularized; this means

restricting himself exclusively to one of the particular spheres of need. In this class-system, the ethical frame of mind therefore is rectitude and esprit de corps, i.e., the disposition to make oneself a member of one of the moments of civil society by one's own act ... in this way gaining recognition both in one's own eyes and in the eyes of others". In the structure of civil society, Hegel identifies three classes: substantial (landowners - nobles and peasants); industrial (manufacturers, traders, artisans); universal (officials). Hegel admits that even with excessive wealth, civil society is not able to combat excessive poverty and the emergence of plebs, by which he means the extremely impoverished part of the population. To solve such social problems, the state is needed.

The state and civil society are a contradictory unity. They can exist only on the basis of many estates, i.e. developed social structure of society. Hegel regards civil society and the state as independent institutions. The state represents the general will of citizens, civil society is a sphere of special, private interests of individuals. According to Hegel, civil society and the state can exist only on the basis of the developed structure of society.

According to Hegel the most applicable political form is a monarchy. The free action of the individual governor is an adequate expression of an idea represented by the state. The state is an abstraction, until it is personified in the monarch, who is the embodiment of his power, his political traditions, the idea that he is called upon to carry out. The ruler of state is a state that has become a one man, an impersonal mind that has become a personal mind, a common will that has become a personal will.

Thus, we can say that the civil society Hegel means the modern for him bourgeois Western European society. Civil society is the sphere of realization of special, private goals and interests of an individual person. Hegel depicts civil society as an antagonistic society, torn by contradictory interests.

In conclusion, we can say that genesis of the civil society concept was developed by such great philosophers as T. Hobbes, J. Locke, A. Smith and G. Hegel from XVII to XIX centuries. The concept of the civil society was viewed from different aspects and was explained by different reasons. For T. Hobbes civil society is a society of law domination, which is created because of people fear each other and aspiration for security. People are very aggressive by their nature. While J. Locke thinks that humans are very social and peaceful by their nature, but they need to create a state for guarantee and control of nature rights to life, liberty and property. A. Smith has an economic approach to civil society and claims that civil society is possible only on the basis of the principle of non-intervention and it is the economic connection, which connects people among themselves as producers of goods for the market, is seen as a real cement of society. At the same time, G. Hegel defines the civil society as a system of individuals who, with the help of labor, satisfy their own needs and the needs of others. The difference between all of these ideas demonstrates that the concept of civil society is complex social phenomenon, whose study is influenced by historical, economic and cultural conditions.

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