

Locke's social contract

1 What's wrong with private enforcement; compare Locke §124.

"I admit that the New Guinea Highland way to solve the problem posed by a killing isn't good. Our way disturbs our day-to-day life; we won't be comfortable for the rest of our lives; we are always in effect living on the battlefield; and those feelings go on and on in us. The Western way, of letting the government settle disputes by means of the legal system, is a better way. But we could never have arrived at it by ourselves: we were trapped in our endless cycles of revenge killings."¹

2 Hume's criticism of tacit consent; compare Locke §120-1.

"Should it be said, that, by living under the dominion of a prince, which one might leave, every individual has given a tacit consent to his authority, and promised him obedience; it may be answered, that such an implied consent can only have place, where a man imagines, that the matter depends on his choice. But where he thinks (as all mankind do who are born under established governments) that by his birth he owes allegiance to a certain prince or certain form of government; it would be absurd to infer a consent or choice, which he expressly, in this case, renounces and disclaims.

Can we seriously say, that a poor peasant or artizan has a free choice to leave his country, when he knows no foreign language or manners, and lives from day to day, by the small wages which he acquires? We may as well assert, that a man, by remaining in a vessel, freely consents to the dominion of the master; though he was carried on board while asleep, and must leap into the ocean, and perish, the moment he leaves her."²

¹ Daniel Wemp, quoted by Jared Diamond, "Vengeance is Ours," *New Yorker* April 21, 2008.

² David Hume, "Of the Original Contract" in *Essays Moral, Political, and Literary*, 1777.

