

A Student Speaks of How Society Should Be Formed

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Introduction

Human beings are not born alone. We live in societies, we play different roles, and we are thereby placed under different expectations. Yet how are societies formed, how are our roles determined and what is thus expected from us? The answer might be found in Huang Zongxi's *Waiting for the Dawn* (1662–1663), and Jean Jacques Rousseau's *The Social Contract* (1762). The pertinent questions are, however, whether they still ring true today and how they affect me—a student?

Starting Point: Humans are Selfish

It is perhaps a universal truth that human beings are selfish. Huang writes, “In the beginning of human life each man lived for himself and looked to his own interests,”¹ while Rousseau writes that a man's “first law is to provide for his own preservation, his first cares are those which

¹ Huang 91.

he owes to himself.”² Their observation of the world is the same, yet their solutions differ.

Huang: There is a Selfless Prince

Huang thinks human beings can live well under the governance of the Prince and his ministers. The Prince is one who does not think of his own benefits and harms, but that of all-under-Heaven,³ and such is contrary to human nature.⁴ Ministers are put in place to share the Prince’s workload.⁵ Huang uses the metaphor of “hauling great logs”⁶ to highlight the collaboration between the Prince and ministers as they serve all-under-Heaven, working for the people’s happiness, thereby establishing peace in society.⁷

The form of government that Huang advocates is in fact “absolute monarchy,” and today, it is *only* retained in Brunei, Oman, Qatar, Saudi Arabia, Swaziland and the Vatican City.⁸ It is interesting to note that these countries are set against a religious background—either Islamic or Christian. Perhaps religion is used to fill one huge gap in Huang’s thesis: the Prince,

2 Rousseau, Book I, para. 8.

3 Huang 91: “Then someone came forth who did not think of benefit in terms of his own benefit but sought to benefit all-under-Heaven and did not think of harm in terms of harm to himself, but sought to spare all-under-Heaven from harm.”

4 *Ibid.*: “To love ease and dislike strenuous labour has always been the natural inclination of man.”

5 *Ibid.* 94: “The reason for ministership lies in the fact that the world is too big for one man to govern so governance must be shared with colleagues.”

6 *Ibid.* 95: “For governing the world is like the hauling of great logs. The men in front call out, “Heave!” those behind, “Ho!” The prince and his ministers should be log-haulers working together.”

7 *Ibid.*: “Whether there is peace or disorder in the world does not depends on the rise or fall of dynasties, but upon the happiness or distress of the people.”

8 “Absolute monarchy is a monarchical form of government in which the monarch exercises ultimate governing authority as head of state and head of government, his or her powers are not limited by a constitution or by the law.” See “Absolute Monarchy,” *Wikipedia*.

in working so conscientiously for the well-being of all-under-Heaven, is essentially acting against man's natural inclination. Thus religion, a higher-order authority, is needed to either make the people obey the emperor, or transform the emperor into a truly selfless person. This is not impossible, but highly improbable.

Rousseau: Sign a Social Contract and Gain Civil Liberty

Rousseau argues differently: to live well with one another is a “give and take.” He introduces the Social Contract—“each of us puts his person and all his power in common under the supreme direction of the general will, and, in our corporate capacity, we receive each member as an indivisible part of the whole.”⁹ Each man forgoes his *natural* liberty and usurpation of property, and in return, each gains *civil* liberty, *moral* liberty and legitimate proprietorship.¹⁰

Rather than having a Prince who is set apart from the people, the Contract confers equality among men.¹¹ Rather than having a single man governing the state, Rousseau posits the Sovereign, which, composed of the people, is the active body politic¹²—and it is important that the people speak out, and that the Sovereign remains active.¹³ Rather than having a selfless

9 Rousseau, Book I, para. 46.

10 *Ibid.*, Book I, para. 57: “What man loses by the social contract is his natural liberty and an unlimited right to everything he tries to get and succeeds in getting; what he gains is civil liberty and the proprietorship of all he possesses” and para. 58: “We might, over and above all this, add, to what man acquires in the civil state, moral liberty, which alone makes him truly master of himself.”

11 *Ibid.*, Book I, para. 66: “the fundamental compact substitutes, for such physical inequality as nature may have set up between men, an equality that is moral and legitimate.”

12 *Ibid.*, Book I, para. 47: “This public person, so formed by the union of all other persons, formerly took the name of *city*, and now takes that of *Republic* or *body politic*; it is called by its members *State* when passive, *Sovereign* when active.”

13 *Ibid.*, Book II, para. 3: “the moment a master exists, there is no longer a Sovereign, and from that moment the body politic has ceased to exist.”

ruler, the people can remain selfish, “each citizen (should) thinks only his own thoughts”¹⁴—and almost miraculously, a general will, which is made general by the “common interest” uniting men,¹⁵ will emerge.

The Contract intertwines justice with utility, and it sounds perfect. Yet throughout history, people have been debating about the downside of the general will over-ruling individual will, i.e., the tyranny of majority. Rousseau briefly mentions it in his work, saying “the law of majority voting is itself something established by convention, and presupposes unanimity, on one occasion at least.”¹⁶ It unsettles many people, especially in countries that celebrate individual liberty, such as the United States.¹⁷ Why are we at all bounded by a social contract? Does the so-called general will, which is really the majority’s will, confer the rights to sacrifice the minority? Perhaps, as Winston Churchill put it, “Democracy is the worst form of government except for those others that have been tried.”

The Rule of Law

Huang: A Good Environment will Suffice

In either society, however, Huang and Rousseau both see the need for law. Huang advocates “Law without laws”, which “safeguards the world for the sake of all-under-Heaven.”¹⁸ When the “Laws of the Three Dynasties” were in place, interestingly “high esteem was not reserved to those at court; nor were those in the countryside necessarily held in low esteem,” thus Huang

14 *Ibid.*, Book II, para. 13.

15 *Ibid.*, Book II, para. 20: “It should be seen from the foregoing that what makes the will general is less the number of voters than the common interest uniting them.”

16 *Ibid.*, Book I, para. 36.

17 “However, his notion that the community comes first and the individuals in it second is contrary to the notions of individual liberty that characterize most modern democracies, the United States in particular.” See *SparkNotes* “The Social Contract”.

18 Huang 98.

concludes that minimal laws are needed.¹⁹ He opines that “only if there is governance by law can there be governance by men”²⁰—it is the *environment* that breeds the ideal moral character.

“Law without laws” rests on the overarching assumption that it is the environment that shapes a man—in other words, if you send your child to a good school, he definitely will not take drugs. Is it not possible that a man with a crooked mind can subvert the system? The Internet, our virtual world, was initially a place without laws, but why did regulations against Internet crimes spring up? The reason why Huang boldly says men can live well under “law without laws”—or, simply put, live well without laws—is that he trusts that “men are born good.” It has been a bitter point of controversy among theologians. For example, Christianity deems that man is sinful by nature. Can the good soul of man be trusted?

Rousseau: Laws are Based on the General Will

On the other hand, Rousseau builds on the foundation that law is necessary, and his concern is the nature of law and how it should be written. Prior to that, he details what kind of people is “fit for” legislation—one which is already bound by some sort of unity but not superstition, one which lives in a community that calls one another by name, one which is self-sufficient, and so forth.²¹ In categorising different types of laws, Rousseau mentions “morality” which should be graven “on the hearts of the citizens”—yet it is

19 *Ibid.*: “The looser the law was, the fewer the disturbances that arose.”

20 *Ibid.* 99.

21 Rousseau, Book II, para. 68: “What people, then, is a fit subject for legislation? One which, already bound by some unity of origin, interest, or convention, has never yet felt the real yoke of law . . . one which unites the consistency of an ancient people with the docility of a new one.”

beyond the scope of his subject.²² It, however, sheds light on how men should live with each other on a personal level, such that the Social Contract, along with its laws, can come into effect.

People are the authors of the law,²³ and the law is nothing but a manifestation of the general will. As the general will might be flawed, Rousseau puts forth the need for a legislator, who, unlike the Prince who rules with an iron fist, merely *guides* the people into making wise laws.²⁴ As such, he should not have command over men.²⁵ Due to inherent difficulty of the task, the legislator often alludes to some divine order to persuade people to accept the laws²⁶—again, the presence or interference of religion in society or politics.

In Hong Kong, there has been an on-going debate on the interpretation of the Basic Law. Yet the debate was mostly confined to the Drafting Committee for the Basic Law, the Legislative Council, and figureheads of the

22 *Ibid.*, Book II, para. 79–80: “Along with these three kinds of law goes a forth, most important of all, which is not graven on tablets of marble or brass, but on the hearts of the citizens. This forms the real constitutions of the State, takes on every day new powers, when other laws decay or die out, restores them or takes their place, keeps a people in the ways in which it was meant to go, and insensibly replaces authority by the force of habit. I am speaking of morality, of custom, above all of public opinion; a power unknown to political thinkers, on which none the less success in everything else depends. With this the great legislator concerns himself in secret, though he seems to confine himself to particular regulations; for these are only the arc of the arch, while manners and morals, slower to arise, form in the end its immovable keystone. Among the different classes of laws, the political, which determine the form of the government, are alone relevant to my subject.”

23 *Ibid.*, Book II, para. 40: “The people, being subject to the laws, ought to be their author.”

24 *Ibid.*, Book II, para. 41: “In order to discover the rules of society best suited to nations, a superior intelligence beholding all the passions of men without experiencing any of them would be needed.”

25 *Ibid.*, Book II, para. 44: “for if he who holds command over men ought not to have command over the laws, he who has command over the laws ought not any more to have it over men.”

26 *Ibid.*, Book II, para. 50: “This is what has, in all ages, compelled the fathers of nations to have recourse to divine intervention and credit the gods with their own wisdom, in order that the peoples, submitting to the laws of the State as to those of nature, and recognizing the same power in the formation of the city as in that of man, might obey freely, and bear with docility the yoke of the public happiness.”

Liaison Office of the Central People's Government in the HKSAR. If the law represents the general will, why can't citizens take a democratic vote? Does the "one country, two systems" present an unprecedented case for Rousseau's Social Contract, that although the Hong Kong people's will is general vis-à-vis Hong Kong, it is only particular vis-à-vis Mainland China?

Discussion: How Does it Bother the Students?

Solutions to how societies should be organised cannot be yielded in a few words. Perhaps students are just too young for politics, and perhaps students in Hong Kong are merely expected to study hard and endure the stressful examination system. Yet even in Huang's world where the Prince is omnipotent, students are empowered, students are allowed to share the decision of right and wrong with the rulers.²⁷ During Eastern Han and Northern Song, students were outspoken, and society was receptive.²⁸ Students should be bold enough to say that "he is not fit to be our teacher,"²⁹ and at the same time, humbly contribute back to society as "instrumentalities for governing all-under-Heaven."³⁰ Students are the watchdog and, clichéd as it sounds, the future.

Students in Hong Kong speak through their respective student associations; they write open letters to the Chief Executive and Vice-

27 Huang 104: "And thus even the Son of Heaven did not dare to decide right and wrong for himself, but shared with the schools the determination of right and wrong."

28 *Ibid.* 105: "During the Eastern Han (A.D. 25–220), '30,000 scholars at the Imperial College engaged in outspoken discussion of important issues without fear of those in power, and the highest officials were anxious to avoid their censure.' During the Northern Sung (960–1127) students knelt at the palace gate and 'beat the drum,' pleading for the reinstatement of Li Kang."

29 *Ibid.* 106.

30 *Ibid.* 104: "Only if schools produced all the instrumentalities for governing all-under-Heaven would they fulfil their purpose in being created."

Chancellor; they prompt discussion on social issues. Perhaps these are the “lingering spirits of the Three Dynasties”³¹ that Huang yearns, but does society listen, does the government listen? It takes the efforts from both the people and the government to put this active feedback mechanism in motion. While the spirit of contributing back to society has not changed, the means has taken diverse forms; working as a civil servant is not the only career option. It is encouraging to see some young faces in the Legislative Council, District Council and in different political parties, but it is just as encouraging to see young people fighting for various causes in NGOs.

Rousseau has not discussed the role of students in *The Social Contract*, but I propose that education nurtures noble citizens who are capable of making informed decisions, steering the general will towards the ideal state that Rousseau has in mind. Maybe students in Rousseau’s world could aspire to become the legislator, and free men from their fetters.

Conclusion

Just as Rousseau studied the political system as a citizen of the State,³² I, too, should study society in my capacity as a citizen and a student, as Huang would also agree. Huang’s ideal world spotlights the Prince who gives his all for all-under-Heaven. A century later, Rousseau urges each of us to give up our natural liberty in exchange for civil liberty and the common good. We have seen how, despite being engendered by great minds, these ideals are imperfect. Around 250 years have since elapsed, and have we found the

31 *Ibid.*105.

32 Rousseau, Book 1, para. 4: “As I was born a citizen of a free State, and a member of the Sovereign, I feel that, however feeble the influence my voice can have on public affairs, the right of voting on them makes it my duty to study them.”

perfect solution of how to organise ourselves in society? Perhaps, our next generations—the students—will take charge.

Works Cited

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Teacher’s comment:

Anna has chosen a specific, pertinent, and arguably urgent position from which to consider the notion of an ideal society—herself as a university student. She has done it in such a way that positions of thinkers from the past are opened up, examined, and extended.

Anna does not stop at the ideas from the course materials, but brings in her learning experience from other contexts so that the ideas become involved in our contemporary situation. To do so, she selects information from the

sources carefully, questions their assumptions, and suggests different contexts in which the ideas could be discussed. Above all, it is not the conclusion that is the most admirable about her work. It is rather, I propose, her willingness to acknowledge the compelling relation between the texts and her concerns, and her courage in raising questions that she is aware cannot be hastily resolved, that makes her work shine.

By the end of the essay, Anna shares with us a promise she has committed herself to—that her ongoing process of learning will be constantly reviewed. (Yeung Yang)