



Taylor and Locke on the Political Society
*An Individualist Perspective on the Obligation
to Belong*

ABSTRACT

The communitarianist political philosopher Charles Taylor has argued against what he has called the 'atomist doctrines': individualist positions based on the primacy of individual rights that originated in John Locke: if the atomist values individual rights, they should also value the human capacities that these rights protect. Because human capacities may only be fulfilled within society, individuals have an obligation to belong. In the present thesis it is argued that firstly, in Lockean individualism, obligations are already posed to society, because society is viewed as a mutual contract. Secondly, it is argued that moral conceptions of voluntarism and freedom are key to the protection of human rights, when the threat to these rights is posed by the political society that ought to protect them, because these are basic to a right to resistance and seeking refuge.

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Suze Stuurman 3959023

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First reviewer: Louis Logister

Second reviewer: Paul Ziche

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Taylor and Locke on the Political Society

An Individualist Perspective on the Obligation to Belong

In 1970's Anglo-American political philosophy, a new variety of critique to liberal theory came to the forth. Communitarians, such as Alasdair MacIntyre, Michael Sandel, Charles Taylor and Michael Walzer, argued against universalist statements on liberal values when they claimed that tradition and social context are important for moral and political reasoning, that the self has a social nature and that community is valuable. Charles Taylor's work has in part been on universal human rights. In a society in which "different groups, countries, religious communities, and civilizations hold incompatible fundamental views on theology, metaphysics, and human nature", he has been looking for ways to arrive at a normative consensus on human rights. In addition, he has been criticising liberalism on the overly individualistic conception it has of the *self*. In liberalism, the importance of communal attachments such as ties to family or religious tradition for self-identity has been greatly underestimated, in his opinion. Taylor's view is that politics should not merely secure the conditions of individuals and their capacity for autonomous choice, but also the ties of community.¹

In his influential essay *Atomism*, Taylor argues against the 'atomist doctrines', a type of individualism that holds *a primacy of rights*. Atomists, among other things, emphasize freedom to pursue individual ends. Taylor is critical of this right and suggests that it brings along with it an obligation to *fulfil* the human capacities that it protects: the very fact that we value our individual rights, means we value the protection of our human capacity. Because human capacity is best fulfilled in society, we have an *obligation to belong* to society.

In the present work, I will focus on this criticism of individualism in Taylor when I revisit the argument for the obligation to belong. In addition, I will address Taylor's fear that when obligations may only be contracted by *consent*, this would contribute to a *disintegration of society*. Providing with an individualist perspective on these issues is the main goal for this thesis. What may they say back to Taylor? I will try to show that *a primacy of rights does not have to be a threat to legitimate political society*. Individual freedom helps in some cases to protect humans because it enables them to flee from and resist and unjust government. If a society would disintegrate because of this, it was not legitimate in the first place. It is not, however, my intention to knock-out the communitarians in the process, rather, I would like to make amends where possible – this suits Taylor's program of finding consensus.

¹ Daniel Bell, "Communitarianism", *Stanford Encyclopedia of Philosophy* (2016), accessed 06 05, 2017 at <https://plato.stanford.edu/entries/communitarianism/>.

I will start this project, by focussing on Taylor's essay "Atomism". I will research what Taylor's critique of the primacy of rights entails. Afterwards, I will attempt to reconstruct a Lockean individualism, because according to Taylor, the thesis of the primacy of rights is "plainly that of Locke".² I will investigate into the primacy of rights as it was first adopted by Locke and as it is now interpreted by Lockeans. Afterwards, I will make give an individualist reply to Taylor's critique.

I have used parts of Taylor's the *Ethics of Authenticity*³ on individualism as auxiliary for my conception of it. For a strengthened reproduction of Locke, I have consulted John Simmons *On the Edge of Anarchy*.⁴

Part I: Atomism and it's Criticism

In the influential essay "Atomism", Taylor argues against what he has called the 'atomist' doctrines. The atomist⁵ position is best characterised by a strong *primacy of individual rights*. The primacy of rights encompasses that the individual subject is viewed as primary to the structures of society: that individual rights are what morality and politics are based in. In addition, individualists stress values of self-fulfilment: individual plans and goals precede cooperative action. In book *The Ethics of Authenticity*, Taylor explains that this primacy of the individual entails the priority of the pursuit of individual goals as opposed to the enactment of traditional societal roles or adherence to traditional morals and conventions. In this sense, personal freedom is seen as primary to community obligation.⁶⁷

The individualist stance is characterised in *Atomism* as a "vision of society as in some sense constituted by individuals for the fulfilment of ends which [are] primarily individual". In the atomist doctrines, individual rights play a central part in "the justification of political structures and action".⁸

Taylor describes individualism as the following stance: "Everyone has a right to develop his or her own form of life, grounded on their own sense of what is really important or of value. People are called upon to be true to themselves and seek their own self-fulfilment".⁹ In other words, individualists

² Charles Taylor, "Atomism" in *Philosophy and the Human Sciences: Philosophical Papers 2*, (Cambridge University Press: 1985), 188.

³ Charles Taylor, *The Ethics of Authenticity* (Canadian Broadcasting Corporation, 1991).

⁴ A. John Simmons, *On the Edge of Anarchy: Locke, Consent and the Limits of Society* (Princeton Library Legacy: 1993).

⁵ As Taylor is well aware, 'atomism' is usually perceived as a pejorative. Even the doctrine's proponents usually prefer the term 'individualist'. I will indeed use the term 'individualism' myself, but may resort to 'atomism' when this seems more consistent with the texts I am discussing. In any case, 'atomism' and 'individualism' should be understood as indicating roughly the same position, even though individualism is the broadest and the most neutral term. In the second half of the thesis I will also employ 'Lockean' to refer to the philosophical position that defends the primacy of rights as it was first understood from Locke, and which has supposedly been the root of contemporary atomist doctrines. See also Taylor, "Atomism", 187.

⁶ Taylor, "Atomism", 187-188.

⁷ Taylor, *The Ethics of Authenticity*, 13-23.

⁸ Taylor, "Atomism", 187.

⁹ Taylor, *Ethics of Authenticity*, 14.

adhere a primacy of the individual rights. In the first place, individuals pursue their own plans and goals, and their membership of society (be it political, social or something else) comes secondary to that.

In Taylor's words, "[t]heories which assert a primacy of rights are those theories which take as the fundamental, or at least a fundamental, principle of their political theory the ascription of certain rights to individuals and which deny the same status to a principle of belonging and obligation".¹⁰

According to Taylor, atomism is heir to the 17th century contract theorists. Especially the thesis of the primacy of rights is "plainly that of Locke".¹¹ In Locke, individual rights are *moral properties* that *precede* and *overwrite* political power.¹² They precede political power in the sense that they are present even before we have made any contracts to secure them, and they overwrite political power in the sense that, morally speaking, actions may be judged on the basis of them, independent from current law. Let's see how this natural state of primary rights is formulated in *Of the True End of Government*. "Men, being ... by nature all free, equal and independent, no one can be put out of his estate and subjected to the political power of another without his consent"¹³ So all persons are in the first place free. Personal freedom, in Locke, is put in terms of property: "Every man has a property in his own 'person'".¹⁴ In this sense, freedom is an ownership of the self. Individuals in Locke, in other words, have *personal sovereignty* of a pre-legislative type. Before individuals subject themselves to contracts or political power, they rule themselves.

I.1 Communitarian Complaint

Taylor's concern with regard to individualism is based on the notion that individuals think it their right to choose their own life form, without any obligations to society. Taylor fears that this poses problems for social commitment and engagement¹⁵. In his own words: "[t]his individualism involves a centring on the self and comitant shutting out, or even unawareness, of greater issues or concerns that transcend the self, be they religious, political or historical".¹⁶

In Taylor's book *The Ethics of Authenticity*, individualism is criticised as the first *malaise of modernity*, one of the aspects of modern culture that are often condemned. Even though personal freedom of choice may be viewed as one of the most valuable gains we have made in modern times,

¹⁰ Taylor, "Atomism", 188.

¹¹ Taylor, "Atomism", 188.

¹² Simmons, *On the Edge of Anarchy*, 3-12.

¹³ John Locke, "Concerning the True Original Extent and End of Civil Government" In *Cambridge Texts in the History of Political Thought: Two Treatises of Government*, edited by Peter Laslett (Cambridge University Press: 1988), VI.

¹⁴ Locke, II,V.

¹⁵ Taylor, *Ethics of Authenticity*, 1-12.

¹⁶ Taylor, *Ethics of Authenticity*, 14.

the loss of a 'larger order', or the breaking loose of older *moral horizons*, sets of shared values within a community, is something that many view as a loss or decline.¹⁷

In reference to Alexis de Toqueville, Taylor warns for "individuals who are enclosed in their own hearts" and will not participate in active self-government. The alleged danger of this is *soft despotism*: when citizens fail to voice their needs in politics, a paternalistic government will need to stand in.¹⁸ The political philosopher Alan Bloom, cited by Taylor in the same pages, points to the climate of opinion among his students. He is very critical of the 'facile relativism' of today's¹⁹ educated youth, a type of thinking in which everybody has his or her own 'values' and ought not to change others, because their values are their life choice.²⁰ Bloom interestingly notes about his students: "[t]he great majority [. . .], even though they, as much as anyone, want to think well of themselves, are aware that they are busy with their own careers and relationships. There is a certain rhetoric of self-fulfilment that gives a patina of glamour to this life. But they can see there is nothing particularly noble about it."²¹

I.2 The Obligation to Belong

Taylor writes in *Atomism*, that the problem with individualism is that "our obligation to belong to or to sustain a society, or to obey its authorities, is seen as derivative, as laid on us conditionally, through our consent, or through its being to our advantage".²² Individualists do not feel they have any obligations to society, unless they have explicitly consented to those obligations. Taylor charges this position: "It would be incoherent to try to assert the rights while denying the obligation or giving it the status of optional extra which we may or may not contract."²³ With the right to self-fulfilment, comes an obligation to society. The argument for this is most elegantly put in the following: "the claim I am trying to make could be summed up in this way. (I) To ascribe the natural (not just legal) right of X to agent A is to affirm that A commands our respect, such that we are morally bound not to interfere with A's doing or enjoying of X. This means that to ascribe the right is far more than simply to issue the injunction: don't interfere with A's doing or enjoying X. The injunction can be issued, to self or others, without grounds, should we so choose. But to affirm the right is to say that a creature such as A lays a moral claim on us not to interfere. It thus also asserts something about A: A is such that this injunction is somehow inescapable."²⁴ In other words, when individualists say an agent A has a right to X, that

¹⁷ Taylor, *Ethics of Authenticity*, 1-12.

¹⁸ Taylor, *Ethics of Authenticity*, 9.

¹⁹ This was written in 1987.

²⁰ Allan Bloom, "The Closing of the American Mind" quoted in Taylor, *Ethics of Authenticity*, 14.

²¹ Allan Bloom, "The Closing of the American Mind" quoted in Taylor, *Ethics of Authenticity*, 14.

²² Taylor, "Atomism", 188.

²³ Taylor, "Atomism", 198.

²⁴ Taylor, "Atomism", 195.

must mean we value A's doing X. In this logic, when they ascribe individual rights to self-fulfilment, that must mean they value the human capacities that are to be fulfilled. "Right-assertion is an affirmation of worth."²⁵

So a right is always employed to protect something of value. If the Atomists assumes a primacy of rights that protects persons, the human capacities that these rights protect must also be of value for the atomist. From this, Taylor extracts that the Atomist must also value the *fulfilment* of this capacity. But what does this capacity consist in? To Taylor, distinct human capacity exists, for example, in our rationality, or our moral capacity.²⁶ The suggestion he makes for its fulfilment, is to engage in self-government. This relates to Taylor's conception of freedom. In Taylor, "[m]an is a social animal, indeed a political animal, because he is not self-sufficient alone, and in an important sense is not self-sufficient outside a polis".²⁷ So his self-fulfilment must happen in society. In contrast with a conception of freedom as independence, the conception of 'freedom' in Taylor is that of *political liberty*, a type of freedom that is secured through *political participation*.²⁸ The idea behind this is that through taking their democratic right to participate politically, citizens exercise their freedom and human capacity. Loss of this freedom is seen as a loss of dignity as a citizen.²⁹

Part II: In Favour of the Primacy of Rights

From the last chapter we can conclude that, individualism has a bad reputation. It seems like in society, it has been used to legitimate a life stance that has been perceived as egocentric, not particularly noble and not contributing to individuals civil dignity. In addition, communitarianists fear it is a threat to traditional morals and the fulfilment of human capacity. However, the principle of the primacy of rights in itself has a lot going for it. In a better developed, philosophical form, the Lockean principle of the primacy of rights is also fundament to a theory the that condemns institutional oppression and coercion, and promotes individuals safety and independence. In the following I will attempt to make an argument in favour of the primacy of rights, based on the idea that a safe, equal place in society comes before having any obligations to it.

Before departing on an argumentation that primarily attempts to speak for the primacy of rights against charges laid on it in *Atomism*, however, we need more of a background on a philosophical working of atomism, to be clearer on the paradigm we are working from and the position that Taylor is arguing against. This is necessary, not just for the convenience of reproducing it

²⁵ Taylor, "Atomism", 200.

²⁶ Taylor, "Atomism", 191.

²⁷ Taylor, "Atomism", 190.

²⁸ Note that freedom may also be exercised through participating in other 'significant', that is, public activities such as organised religion.

²⁹ Taylor, *Ethics of Authenticity*, 46.

here, but also, because in my opinion, Taylor himself is too unclear on the specifics that underlie the atomist doctrines – we know little more than that they are “heir to the 17th century contract theorist” and more specifically, that the primacy of rights originated in Locke. Robert Nozick is mentioned as an example of an extreme individualist³⁰, but Nozick’s work *Anarchy, State and Utopia* is notoriously unclear on the fundamentals of the premise that “[i]ndividuals have rights, and there are things no person or group may do to them”³¹, so that doesn’t help us any further. According to the political philosopher Thomas Nagel, it is commonplace to say that Nozick does not provide with a backing for his primacy of rights at all.³² In addition, Nozick’s centre of gravity seems to be on property rights, not human rights, or at least that distinction is not made in the way that we tend to do nowadays.³³ Because Taylor takes on subjects such as self-fulfilment, I found that it made more sense to pick up a different author. I have chosen the Lock-scholar John Simmons. His *On the Edge of Anarchy* is the basis for a theory on the legitimation of political society that I will here call *Lockean individualism*, because it is based in individual rights and freedom. It’s most prevalent characteristic is a *voluntarist* stance towards political society. I believe it will be helpful as a departure for the argument for the primacy of rights, to know how the position of society as conditional to our consent and the priority of individual fulfilment that Taylor also mentions as atomist (and that he is critical of), may be more charitably understood within a Lockean background. The following is an attempt at fortifying the atomist position and an effort in giving it some more nuanced backing.

II.1 Lockean Individualism

To start off with, we should look into how we can understand political consent from the Lockean conception of the political relationship. As I understand it, the primacy of rights is basic to an individualist conception of political society as a complex of relationships among individuals that may only happen voluntarily, by consent. According to Simmons “political philosophy is the more specific study of how persons in their roles as members of political societies ought to behave, and of how to structure those societies to which they belong. Political philosophy, then, will have to be concerned at its most basic level with the relationship among persons that defines political society and that makes a person a member of such a society”.³⁴ In addition, “the ‘political relationship’ is that relationship among persons that makes them members of the same political society”.³⁵ In this sense, the Lockean

³⁰ Taylor, “Atomism”, 187-188.

³¹ Robert Nozick, *Anarchy, State and Utopia* (Basic Books 1974), ix.

³² Thomas Nagel in Eric Mack “Robert Nozick’s Political Philosophy” in *Stanford Encyclopedia of Philosophy* (2014), accessed 06 16, 2017 at <https://plato.stanford.edu/entries/nozick-political/#StaNatRig>.

³³ Mack, “Robert Nozick’s Political Philosophy”, 2.4

³⁴ Simmons *On the Edge of Anarchy*, 3

³⁵ Simmons *On the Edge of Anarchy*, 3

understanding of the political realm stresses that this community is *made up of individuals*. It pays attention to the relationships between individuals that make the community possible. According to Locke himself in Simmons “when any number of persons stand in political relationship to one another, they are said [. . .] to constitute a ‘political society’. [. . .]”.³⁶ So the political society³⁷ should be *conditional*, as opposed to the communitarian stance that Taylor takes on, in which a commitment to community is seen as natural.^{38 39}

I believe this understanding of politics as a complex of relationships is to crucial the Lockean understanding of consent, because voluntarism secures that an individual only consents to those political relationships that protect their rights. Understanding the political relationships in society as conditional to our consent, to me, seems to be a premise to determining that society’s legitimacy, because *only conditionality can secure voluntarism*: only when it is also possible *not* to have a certain relationship, one can *fully voluntarily* consent to one. An emphasis on voluntarism is also found in Simmons: “the relationship that binds persons into one political society [. . .] is a particular kind of moral relationship among free persons, based in *consent* and consisting of a certain mutuality of rights and obligations[my emphasis].”^{40 41} To Lockean, a society that is not voluntary, not free from coercion, is not a legitimate society, because it does not respect consent, and only societies that are consensual are legitimate.⁴²

Political society should be based in consensual contracts and trusts, because this is an important way to secure equality, in the sense of having equal freedom. Only when a certain degree of independence is guaranteed in which individuals pursue their own goals first, a voluntary and consensual contract between equals is possible. I read this in the following quote from Simmons: “the political relationship can arise only within groups of moral equals, all of whom enter the relationship from a state in which they are free to govern themselves and pursue their own [. . .] plans and activities”.⁴³ This state in which individuals govern themselves and pursue their own goals (within moral⁴⁴ boundaries) is the Lockean sense of the *state of nature*. In this natural state, as the thought

³⁶ Simmons *On the Edge of Anarchy*, 4

³⁷ Locke also frequently refers to them as ‘people’, ‘community’, or ‘society’ of persons, see also: Simmons, *On the Edge of Anarchy*, 4

³⁸ Bell, “Communitarianism”.

³⁹ Taylor, “Atomism”, 190-191.

⁴⁰ Simmons, *On the Edge of Anarchy*, 5.

⁴¹ Simmons takes Lockean consent as a blanket term for any deliberate voluntary alienation of rights and all undertakings of obligation. Promising, contracting and entrusting are, in this sense, all types of consenting. See also Simmons *On the Edge of Anarchy*, 69.

⁴² Simmons, *On the Edge of Anarchy*, 57-98.

⁴³ Simmons, *On the Edge of Anarchy*, 5.

⁴⁴ Natural law in Locke forbids murder, violence, theft etc. See also Simmons *On the Edge of Anarchy*, 63.

experiment as I would like to use it, individual⁴⁵ action precedes cooperative action. This relates to the modern individualists self-fulfilment in the sense that they too, view individual action as prior. So in short, as opposed to Taylor, here, society is seen as a complex of relationships that may only be contracted voluntarily, by consent, and is in that sense conditional and individual independent action precedes obligations to society in order to safeguard equality.

A possible point of softening for this rather radical voluntarist individualism is the principle of *tacit consent*. In original Locke, consent does not need to be *express consent*.⁴⁶ *Tacit consent* may also suffice to acquire obligations to a government. We could think of situations such as traveling: while visiting a country and enjoying its domains, we automatically submit to its government, i.e. its law. But also being born in the domains of a government could fall under this. The very being *in the realm* of a government, would, in Locke, be enough to consent to it.⁴⁷ In Locke's own words: "I say that every man that hath any possession or enjoyment of any part of the dominions of any government, doth thereby give his tacit consent and is as far forth obliged to obedience to the laws of that government, during such enjoyment, as anyone under it; whether this his possession be of land to him and his heirs forever, or a lodging for a week; or whether it be barely travelling freely on the highway; and in effect, it reaches as far as the very being of anyone within the territories of that government".⁴⁸ This implies also that one never really explicitly consents to growing up under a particular government, but by simple virtue of being on its lands, automatically gives consent to its law and order, for as long as one remains under its territory, *or* it is expressly redeemed.⁴⁹

II.2 Individual Rights

For Lockean, rights are always based in individuals. "Artificial political bodies [. . .] cannot for Locke (or Lockean) possess rights naturally; only persons have that capacity"⁵⁰ and "[o]nly fully voluntary alienation of the rights by the rightholder – consent (contract, trust) – can give another person or body political power over the rightholder".⁵¹ Modern Lockean generally believe that rights are

⁴⁵ In original Locke, the state of nature consists of "mothers and fathers with their children" based on voluntary agreements that are moral but not political. Men are seen as the representatives of families and whole families are counted as 'individuals'. See also Celeste Friend, "Social Contract Theory" in *The Internet Encyclopedia of Philosophy* (2017). Nowadays we may want to organise this picture somewhat differently, giving women an equal place. In any case, it is important to note that dependent members of society, such as children or disabled people, already have a place in society because the family precedes the political: in that sense, we cannot object to Locke that people who are unable to consent are excluded from political society. They are included *through* a representative. The way in which this takes shape exactly, should be subject of future philosophical work.

⁴⁶ Simmons, *On the Edge of Anarchy*, 80-83

⁴⁷ Simmons, *On the Edge of Anarchy*, 80-83

⁴⁸ Locke II, VIII

⁴⁹ Simmons, *On the Edge of Anarchy*, 80-83

⁵⁰ Simmons, *On the Edge of Anarchy*, 59.

⁵¹ Simmons, *On the Edge of Anarchy*, 59.

inalienable unless voluntarily given up through consent and that: “only consent can ground a person’s *obligations* [my emphasis]”.⁵²

Simmons, however, brings some nuance to the idea of inalienable rights that can only be given up by explicit consent: “Locke’s stance on the existence of inalienable rights is far less obvious than is commonly supposed”. In some places, Locke is very absolute in his claims, but not very consistent on the implications this has for the rest of his theory.⁵³ In Locke’s *Two Treatises*, individuals lay off all of their rights when they enter society. As quoted in Simmons: “each person’s consent must surrender ‘all the power necessary to the ends for which they unite into society’” like taxes, contribution to physical force to assist in domestic law enforcement or national defence.⁵⁴

This is, however, not in line with later works from Locke’s pen, in which individuals have a *right to resistance*⁵⁵. For this right, which I will elaborate on later, it is necessary that individuals retain *some* of their rights even *within* society. This is the stance that Simmons adopts, and I will follow him in that. I will hold the view that individuals *keep* their rights, because rights are inalienable, however, the responsibility for *protecting* them is laid off onto a government. In this way, individuals lose their right to self-defence⁵⁶ when they enter society, but they do *not* lose their right for their lives to be defended. Now it is just the government protecting them. The idea in Simmons is that after consenting, the government has a ‘first try’ in protecting individual rights. When it fails to do so, the individual still has their ‘second try’ at protecting themselves.⁵⁷ Recall that the atomist in Taylor legitimates self-fulfilment on the basis of individual rights.⁵⁸ This would not be possible if they layed off all of their rights onto a government. Therefore I will assume that Lockean individualists reinterpreted original Locke on this point, like Simmons does, too,⁵⁹ and separates the right of receiving protection from the right to enforcing it, to self-defend.

Lastly, a conception of legitimate resistance to government is crucial to proper understanding Lockean individualism. Even though citizens, when they consent to a government (express or tacit) lay off their rights and acquire obligations (i.e. to pay tax and obey the law) resistance is sometimes justified in Lockean theory, e.g. in Simmons: “Legitimate governments, then, hold their political power only for the purpose of advancing the good of the people who created them (or subsequently consented to their authority), never for advancing their own good. They may act outside of the law

⁵² Simmons, *On the Edge of Anarchy*, 59.

⁵³ Simmons, *On the Edge of Anarchy*, 102.

⁵⁴ Simmons, *On the Edge of Anarchy*, 60.

⁵⁵ Simmons, *On the Edge of Anarchy*, 149-167 (esp. from 155)

⁵⁶ See also Simmons, *On the Edge of Anarchy*, 158.

⁵⁷ Simmons, *On the Edge of Anarchy*, 66.

⁵⁸ Taylor, *Ethics of Authenticity*, 13-23.

⁵⁹ Simmons, *On the Edge of Anarchy*, 80-89.

(and otherwise use discretion) in order to more effectively serve this purpose. But *when the people judge them to have failed in their task, their power is forfeit and resistance to them becomes legitimate*. It is this arrangement to which each member of the commonwealth is committed by political consent, and this limit on the power of governors over the governed that consent establishes[my emphasis].”⁶⁰ So when the government fails to provide proper protection of rights, resistance is legitimate. One may say that the responsibility for rights may be transferable onto a government, but that rights are never truly *alienable*.

To sum up: Lockean individualists adhere to a view in which only individuals have rights, not political bodies (at least not before they are contracted). From an understanding of society as consisting of political relationships that are agreed to by mutual voluntary consent, it follows that the right to protect these individual rights by force may be voluntarily transferred onto a government. When one resides in the realms of a particular government, this transferral is assumed. However, the right to resist a government remains when they fail in their task of protection, because rights (as moral, not legal properties) are inalienable. Independent action precedes community obligation, in this sense. This is to secure equal freedom and independence.

II.3 Individualist Perspective

Before we conclude, at least for this thesis, let me reflect on the opposition between Taylor and the atomists. Taylor states, that it is a problem that individualists adhere to a primacy of rights, that they think it their right to choose their own life form, without any pre-set obligations to society. In his opinion, this primacy of rights would endanger commitment and engagement with society.⁶¹ However, in Lockean individualism, a commitment to society is made by tacit consent as soon as one sets foot on a governments territory.⁶² Because the obligation stems from a mutual relationship, it can never be the case that individuals make use of the protection that society grants, without giving back, because by virtue of enjoying it, they simultaneously consent to acquiring some obligations to it. According to Taylor “[i]t would be incoherent to try to assert the rights while denying the obligation or giving it the status of optional extra which we may or may not contract.”⁶³ But this is something Lockeans would surely agree to: they would not expect their rights to be protected by a government, without taking on certain obligations to that political society, by virtue of the status of politics as a mutual relationship. So in the first place, Taylor does not have to worry that individualists will be passive citizens that enjoy the protection of society, but do not give back to it or engage in self-government. At least from the

⁶⁰ Simmons, *On the Edge of Anarchy*, 72.

⁶¹ Taylor, “Atomism”, 87-93; *Ethics of Authenticity*, 13-23.

⁶² Simmons, *On the Edge of Anarchy*, 80-83.

⁶³ Taylor, “Atomism”, 198.

Lockean account, this doesn't follow. In addition, a primacy of rights and a voluntarism, does not imply an anti-social or and anti-traditionalist political stance per se. The idea may not support traditionalism towards community, in the sense that traditions have no *moral* force in Lockean individualism, because as I have showed, society does not have any such right before it is consented to. Rather, recall that individualism is *not filled out* with regard to the right life form. The social realm as well as traditions may still have sentimental or other value, however, and *may* be pursued.^{64 65}

Taylor, per contra, may interpret saying that we have obligations to society, even *without* consent. This may be argued because he bases his theory in the fulfilment of human capacity: as we have seen, he views humans as social animals that need society and larger order to fulfil their capacities, for example, through participation in politics, organised religion or the development of historical consciousness. Taylor believes, these are necessary to shape identity and become fully human.⁶⁶ In a way, this obligation to society is an obligation to our own fulfilment.⁶⁷ I will not negate that higher human capacities are a valuable thing to develop, and I do think that these activities may possibly add to this development. However, when we are criticising the primacy of rights, we encounter a problem of priority here. It is rather strange to grant these 'obligations' the same primacy as human rights. Would Taylor really say that learning history really stands on the same footing as freedom from torture or slavery? As a right to life? This rhetoric may be somewhat extreme, but there is something to it. Let's develop the argument. Taylor says, that 'living' entails more than merely being alive, biologically speaking.⁶⁸ If we go with that, to call life, life, it needs to encompass more than merely persons having a pulse, it needs to entail some fulfilling activity or development. But we cannot say that we are able to have any fulfilment of life *without having a pulse* either. In this very basic sense, human development would not be possible while human rights⁶⁹ are not secured. Human rights, such as freedom from slavery or torture, must be protected before one can be expected to participate in any political community. A natural hierarchy is present here. The protection of basic individual rights must come *first*. In that sense, rights have a definite primacy.

So much for a primacy of rights, but why individualism? Why would we need to adhere to a primacy of individual action and freedom to self-fulfilment? May not a traditional society provide us

⁶⁴ One may argue, however, that we restrict the practice of tradition to those traditions that respect human rights.

⁶⁵ Granted, this requires trust in individuals to voluntarily seek to participate in society and therefore a very positive view of human nature.

⁶⁶ Taylor, *Ethics of Authenticity*, 1-12.

⁶⁷ And eventually also tot the fulfilment of the capacities of others because sustaining society also enables *them* to participate.

⁶⁸ Taylor, "Atomism", 199-200.

⁶⁹ United Nations, "Universal Declaration of Human Rights", 1984, accessed 06 16, 2017 at http://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf.

with purpose? Why would we need to adhere to a conception of society in which individuals only voluntarily consent to political or communal power? I will provide with some answers here. According to my analysis, individualism should be a core component to doctrines that adhere to a the primacy of individual action, because voluntary consent lies at the basis of the option to choose *which* society we belong to,⁷⁰ and our right to resistance, both of which add to secure protection of rights. In case of a flawed government that does not protect basic human rights, it should be individual freedom to flee or self-defend. A primacy to individual action is necessary to do so, because when we let community values dictate our purpose, e.g. in a society where women are oppressed, this may contradict our human rights.⁷¹

Let me summarise my position. It may be the case that the fulfilment of human capacity is of value. Still, individuals may find themselves in societies that are *radically unfit for human flourishing*. A person may be enslaved, oppressed, exploited, or in other ways endangered in their human rights. In that case, *basic* human rights have a primacy over *higher* human capacities, because from a diminished position, it is impossible to fulfil these higher capacities.⁷² When we think of poignant examples of individuals that suffer institutional oppression, we cannot say that the obligation to belong still has any moral force to those people. We cannot, from a moral viewpoint, expect oppressed, exploited or endangered groups to participate in the social or political sphere, because the protection of their rights has a definite primacy: only when one's safety is secured, one can participate fully in society and develop one's capacities. However, this protection does not necessarily need to be fulfilled by *that same* society, from an individual perspective, this would be impossible to bring about, precisely *because* they do not have a political voice. So I conclude that it should be morally permissible attempt to protect oneself, revolt, or search for a society that is better suited for living a fulfilling life, and forsake the community one 'belongs to', traditionally speaking, when necessary.

Concluding Remarks

Recall from the introduction, that I took on two things that I want to discuss in this thesis: firstly, Taylor complains that the atomist doctrines do not give the same primacy to community obligation, as they give to rights.⁷³ Secondly, the idea that this obligation to society may only be contracted by consent has itself been criticised on the basis that this would cause society to disintegrate and contribute to the loss of social order.⁷⁴ This disintegration would be problematic, because it would

⁷⁰ This society need not be a state, but may also be a smaller community.

⁷¹ In addition, it is doubtful whether this would lead to a fulfilling life.

⁷² Recall, that to Taylor, fulfilling human capacities would entail such things as participation in politics, organised religion, etc. (see also Taylor, *The Ethics of Authenticity* 1-24). These are things that are impossible to pursue from a place of oppression or corrupt and disorganised society.

⁷³ Taylor, "Atomism", 188.

⁷⁴ Taylor, "Atomism", 204-210.

interfere with the development of individuals higher capacities, these capacities, after all, are developed in society, according to Taylor.⁷⁵ So what may the individualists say to Taylor? They may rebut the first issue, stating that when we look at the understanding of society as a *mutual* contract, we see that Lockean individualists do give the same primacy to obligation as they give to rights, as soon as the political relationship is contracted by voluntary consent. To me it seems even so, that this happens rather easily when we take tacit consent⁷⁶ into account, because as soon as individuals enjoy the lands of a society or community, they have certain obligations. Their answer to the second criticism could be that the construction of consent is crucial to the protection humans. Taylor should admit that keeping people *safe* should come *before* the development of higher capacities. In that sense, basic human rights have a definite primacy over community obligation, even if that would in some cases mean the disintegration of society: if that society was unjust, this is not problematic.

In conclusion, *a primacy of rights*, understood in the Lockean individualist way, *does not have to be a threat to legitimate political society*. Individual freedom, as opposed to submitting to traditional society, may help to protect human rights, because it enables individuals to resist an unjust government or community, or to flee from it, if this were the case. If this would cause a society to disintegrate, that means it was violating human rights, and therefore was not legitimate in the first place. A new political society may be contracted by consent. However, these ideas do not completely enervate Taylor's *obligation to belong*. At least in Lockean individualism it is the case that when individuals find themselves in a peaceful society, they do tacitly consent to having obligations⁷⁷ to it. I hope that both this point and the point on the value of individualism laid out above help to bring Taylor and the individualist closer together. Still, some basic questions remain unresolved, such as to what extent humans need community for individual flourishing, and to what extent tradition is necessary for personal identity and fulfilment. These questions will need an answer, preferably both philosophically and empirically grounded, before we can claim that politics should protect the ties of communities, like Taylor does.

⁷⁵ Taylor, "Atomism", 194-199.

⁷⁶ It may be that Taylor meant the atomist not to adhere to the principle of tacit consent, in which case I am misguided. However, because it is something that Locke adheres to, and atomists are Lockean, I have judged that atomists would also adhere to the principle of tacit consent. This is a point of doubt, however, because it wouldn't be unreasonable to criticise this theory on the basis that it is too much of a threat to individual freedom to assume consent. The extent to which it is possible to assume political consent may be an interesting topic for communitarianists and individualists to discuss in future philosophical discourse, because of this unclarity and the fact that it is constitutive to the legitimation of politics and society.

⁷⁷ Of course, there is a large difference between the Lockean obligations of paying taxes and taking part in the military when necessary, and Taylor's taking part in politics or organised religion. This discrepancy needs to be subject of further discourse if we wish to find a middle ground.

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