

ATINER CONFERENCE PRESENTATION SERIES No: ECO2021-0215

ATINER's Conference Paper Proceedings Series

ECO2021-0215

Athens, 19 July 2021

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Reversal since the First Moderns**

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ECO2021-0215

Athens, 19 July 2021

ISSN: 2529-167X

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ABSTRACT

As Constant rightly told us in the XIXth century, the liberty of the Moderns is a special kind of liberty. This liberty is a right to be subjugated only by Laws and to be able to conduct our own affairs in security which is, in this point of view, progress. Our main point will be focused on the idea of this security which, from a medium to achieve our interests, seems to have become an end in itself. This can even be contradicting its original purpose. Then, we will focus on this concept of security in two points concerning a representation of security (I) and some effects of its overweighting (II). For this paper, we were highly inspired by classical authors (Adam Smith, Jeremy Bentham, David Hume, Etienne de la Boétie...) but their light can be ever brighter as their reflexions or observations can be more and more contemporary.

Keywords: security, liberty, utilitarianism, moderns

Introduction

Benjamin Constant rightly told us in the XIXth century that the liberty of the Moderns is a special kind of liberty – he opposed this Moderns’ liberty with the Ancients’ liberty which was present amongst Athenians, for example (Constant 1997). This new liberty – and we will keep this in mind throughout the presentation – is the right to be subjugated only by Laws and to be able to go about one’s own private matters fairly, which can be considered, from this point of view, as a form of progress. First of all we will focus on the idea of security, which seems to have shifted from being a *medium* to achieve our interests to an end in itself, while security has been transformed; we can even say that modern security is almost contradicting its original purpose. Secondly, we will focus on the concept of security with regards to a modern representation of security and especially some effects of its overweighting: we will see how security is one of the greatest manifestations of modernity.

Before I start, I stress to the point that I do not want to heap totally opprobrium on what we are living now: I just want to show you that what we are currently living, with all the measures taken by governments are not as exceptional as one might think but are just a logical flow of the march of ‘progress’ we will try to describe briefly.

If we are highly inspired by classical authors – like David Hume, Adam Smith, Adam Ferguson or Jeremy Bentham –, their enlightenment can be more than useful when we look at what we have been living these last few months, for example.

The Classical Author’s Vision of Security

As we said, from Benjamin Constant’s perspective, liberty is a right guaranteed by Laws. This kind of liberty cannot be possible if there is no security with it. How can we be sure to attain our interests if we are not secure? Therefore, as John Locke (Manent 1987) and David Hume (1993) knew it, Laws, property and property rights are a form of protection for each of our own spheres and the respect of these laws is the best guarantee to secure a viable society (Cooter & Ulen 2014). For David Hume, this guarantee comes from virtuous people keeping their promise when it comes to property; as you know, for Hume, these promises are linked to the need for stability which humans develop in their mind thanks to the experience of their habits.

By establishing Laws, the State – which, at the time, was perceived as an external agent (Castoriadis 1989)–, the phenomenon of property and of security becomes different. In the world we live today we can represent this by imagining a bubble in which each person is placed. Using this metaphor of bubble, we could say that a perfect bubble of Champagne for instance – then a perfect security – is as much a part of the Champagne as a contradiction of it. In it, we can live safely, healthy and do whatever we want, organising and ordering everything. But the bubble *is not* the Champagne. Even if we are free

in the air of the bubble, we cannot taste the Champagne. It is kind of the same things with the Moderns Laws: indeed, in an external system of laws enacted by others and which do not seem concrete, we are free to act but we do not have the taste of any real action, as it would have been during the Greek miracle in Athens. Likewise, from the Moderns' point of view, in the society frame, each one can achieve his own interests without disturbing those of others: the essence of democracy has therefore totally changed and if a problem occurs, the Legislation or the Legislator is an external arbitrator. From David Hume's point of view (1983 and 2008), we could say that the force of habit is substituting the internal notion of property with the idea that property must be protected by an external agent.

Moreover, these new rules, these "modern" Laws, are not enacted anymore to ensure virtue as they could be for the Ancients.

Security is also the foundation for a viable new economic system – and by extension of a new type of society – which is henceforth the new priority of the Laws. The new virtue promoted by Laws is the viability of the Market and people will not respect the law if they do not submit to this new virtue of market viability (Foucault 2004a). We can find this idea as well in work by Montesquieu (Manent 1994), Adam Smith (2000, 2002 & 2005) or Adam Ferguson (2013) when they speak about how the Market can soften manners and how people are losing their "martial spirits". These authors were lucid witnesses of the change in the way of thinking of their time – and I think that both Adam Smith and Adam Ferguson dreaded it.

For instance, in *Theory of Moral Sentiments*, Adam Smith (2010) compares the way of living we have and the reputation we want to have in our society: to be worthy of praise is different to being praised. Taking a good decision is kind of a dilemma: one solution Adam Smith found for this concrete dilemma is the concept of the *impartial spectator*. According to this concept, we are still aware, free and responsible of our actions. Nevertheless, Adam Smith (2000, 2002 & 2005) cannot reject the fact that in this new system, everyone depends on everyone, and not on a person in particular.

We can also see this evolution in a famous discussion Adam Smith (2000, 2002 & 2005) and Adam Ferguson (2013) had about the Division of Labour. If they agreed on the fact that this method was enabling a greater production of goods that some people would never have had otherwise, they also criticised it for a reason I think we do not study as much as we should in universities. Repeating the same thing over and over again, people limit their abilities and lose their intellectual faculties by the force of habit for a repetitive occupation. Adam Smith (2010) in fact says that there is nothing sadder for those who have a parcel of humanity to see people losing part of their reason, even if they themselves cannot see it, while they are still laughing and singing.

The Contributions of the Benthamian Utilitarianism on Security

While Adam Smith or Adam Ferguson were still defending the Ancients' point of view, a contemporary of theirs in England, Jeremy Bentham, incarnation and preacher – if we can say that – of utilitarianism, ended it. Indeed, hostile to most of the antique texts, Bentham (2010, 2011) believed that people must make their decisions only following the perspective of *the greatest happiness for the greatest number of people*. If each decision seems to be individualistic, according to the *criteria* of pleasure and pain, we reach another level of control of people. By imagining an impartial criterion – pleasure and pain – and wishing to become a kind of a Newton of the human sciences, Bentham (2008) goes further than his predecessors: for him, people have their conduct *valued* by this criterion – I am stressing here the economic notion of “*value*” which is so contemporary and which we can nowadays hear everywhere instead of other words like “*virtues*” or “*principles*” which are disappearing.

In return, Laws must be enacted to ensure the security of the pursuit of this greatest happiness for the greatest number of people. Instead of protecting people, the protection of a criterion is even more radical. Laws are no longer enacted to protect the interests of people who are free to decide in their bubble what to do, but are now enacted to lead their conduct (Bentham 2010, Bentham 2011, Foucault 1997, Foucault 2004a and Foucault 2004b). If Laws could be compared to a collection of pieces of information, these pieces of information would now mostly be recommendations: Laws are a kind of roadmap for every individual. In this utilitarianist system, we could say that although people are still in a bubble, the bubble is also organised with other bubbles – then other individuals – to achieve the greatest happiness for the greatest number of people.

Actually, utilitarianism is a spatial thought according to which each space where individuals are placed must be protected, as well as their way of thinking (Bentham 2008). To illustrate this remark, we notice that the human way of thinking is also spatial in Bentham's point of view: the ideas are also ordered in the mind so as to calculate the *best* possible way, making the best choice: for Bentham, everything is a calculation based on the different values which have to be the clearest possible. We are extremely far from the point of view of the Ancients: from the aim to become virtuous individuals as it was for the Ancients, the primary aim is now to attain the greatest value for society: even if decisions are taken individually, the individual is now considered as an agent within a system, as we know very well in economics for example with the notion of *homo economicus*.

Bentham is also famous for another point in his philosophy: the freer the people, the more supervised they must be (Laval 1994, Laval 2006 and Laval 2012). Ideally, to achieve this, each individual must be isolated, identified and surveyed to be sure that he will take good – or the best – decisions most of the time, if not *all* the time. If his decisions are good, he can be rewarded and if not, he will be penalised, but still with the aim of the greatest happiness for the

greatest number of people. For Bentham, people can be compared to animals that can be trained, to live in accordance with the concept of utility; the only difference between each individual is his capacity of calculation and decision.

If it is true that we are getting closer to science fiction novels – and it would be a dystopia – we have to keep in mind that utilitarianism is more than a philosophy: we can say that it is also a technology (Laval 2012). We might know famous Benthamian projects such as Panopticon for training prisoners, or the Chrestomatic school for training pupils, which are designed to maximise utility. Back then, for Bentham, it was more than science fiction, it was a project. Furthermore, in these projects, we can find an idea cherished by Bentham that we can also transpose to our Modern democracy – which Bentham has also studied –: this idea is that the important thing for our security is not to be watched, but the feeling of being watched (Laval 2012, Ferry 2012).

In this context, condemnation is promoted because it is useful to serve the pursuit of the greatest happiness of the greatest number of people. The quicker and the more likely the sanctions – positive or negative –, the more efficient they are. In addition, we can also see the emergence of another step of this evolution of Modernity, in contradiction with the *raison d'être* of the Moderns' point of view of the Liberty we saw with Benjamin Constant: individuals are now responsible of the conduct of others by supervising all the other individuals around them, for the benefit of the community. They are bonded to each other with an invisible chain (Laval 2012): where Modernity was a *medium* to protect people by the few, letting them do their own interests, now, through this perspective, they have lost both: they have to lead their affair, but in the best interests of the community – ends and means have therefore been mixed up and merged (Mill 2012). Individuals are now also responsible of the actions of everybody else – by contrast if they are responsible for themselves, they are called “*entrepreneurs*” as Michel Foucault or Gary Becker had studied it (Foucault 2004a).

In parallel, Laws have kept their modern nature, as Cornelius Castoriadis (1989) would say: if laws are enacted by a government that is perceived as an external agent, it means that people have lost their own sovereignty.

Conclusion

To conclude, we have seen in this summary of the evolution of Laws how the notion of security has changed. From a desire to protect the right to property through an external agent, since the Modern age, security has allowed people to lead their own private affairs. This desire to protect has meant further surveillance and identification, while the concept of “virtue” has been substituted by the notion of “value”, which is a societal notion as we have seen. This notion of “value” which everybody can live by and achieve is pushing people to focus on respecting security, forgetting why this security was established in the first place, therefore confusing ends and means.

With this presentation I am not heaping opprobrium on all I was speaking about, saying that we have to should go back in the time: this would not have any sense. My aim is to contribute to a clarification of ends and meanings of every people or every person. Keeping in mind our real ends, we can ourselves choose our way of living, while means can be changed: for example, there is no obligation to try to reach some means from the past at the cost of sacrificing a part of our ends, if we have hopefully not forgotten them. But if we *have* forgotten our ends, this could explain why past means have really become our new ends.

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