

## ***6- Could it be legitimate to disobey?***

When men submit to the authority of others, it is to procure themselves some security against the wickedness and injustice of men, who are perpetually carried, by their unruly passions, and by their present and immediate interest, to the violation of all the laws of society. But as this imperfection is inherent in human nature, we know that it must attend men in all their states and conditions; and that those, whom we choose for rulers, do not immediately become of a superior nature to the rest of mankind, upon account of their superior power and authority. What we expect from them depends not on a change of their nature but of their situation, when they acquire a more immediate interest in the preservation of order and the execution of justice. But besides that this interest is only more immediate in the execution of justice among their subjects; besides this, I say, we may often expect, from the irregularity of human nature that they will neglect even this immediate interest, and be transported by their passions into all the excesses of cruelty and ambition. Our general knowledge of human nature, our observation of the past history of mankind, our experience of present times; all these causes must induce us to open the door to exceptions, and must make us conclude, that we may resist the more violent effects of supreme power, without any crime or injustice.

***Hume David (1711-1776)***  
***A Treatise of Human Nature (1739)***

***Biography***

David Hume is a philosopher, economist, and Scottish historian. He is considered one of the most important thinkers of Scottish lights with Thomas Reid and Adam Smith and is one of the greatest philosophers and writers of English language. Founder of modern empiricism with Locke and Berkeley, one of the most radical by his skepticism, he particularly opposed Descartes and philosophies considering the human mind from a theological-metaphysical point of view: he thus opened the way to the application of the experimental method to mental phenomena.

Its importance in the development of contemporary thought is considerable: Hume had a profound influence on Kant, on the analytical philosophy of the early twentieth century and on phenomenology. For a long time, however, only destructive skepticism was retained in his mind; but the commentators of the late twentieth century focused on showing the positive and constructive nature of his philosophical project

It has been proposed to divide Hume's life into three periods. Although this kind of division may have some arbitrariness, it remains a useful mnemonic device, and in this case rather relevant if one relies on the works of Hume himself and on the life he led. Hume's life can be divided as follows:

- A period of study and initial trials extending until 1740;
- An active period of travel and results, from 1740 to 1769;
- A period of retirement from 1769 to 1776.

Although Hume's thinking remains essentially homogeneous throughout his life, the way in which he develops it will not always be the same.

### ***Problematic***

The submission of citizens in a civil state is legitimate for security reasons against the injustice and malice of men. But can we say that disobedience will become legitimate? And, in what state, or it's an exception?

### ***Position of the author***

Morality, however, is neither absolute nor strictly universal, even the social contract is relative, and Hume defends civil disobedience, revolt, if not disengagement in the face of a breach of contract by the government itself. If the governmental authority becomes tyrannical and no longer guarantees the safety of everyone, everyone has the right to break the obligation of obedience. Nobody is stupid enough, he writes, to subscribe to a contract for the sole benefit of others and free of any personal interest - or even worse: against our own interest. So he recognizes that it is morally impossible to condemn until the revolutions of citizens rising against their despot. There is a natural necessity in the preservation of oneself and others that commands the act of rebellion against any persecution.

The social contract being a contract like any other; it can not last when one of the two parties breaks its promise. If it is the only individual, he puts himself outlaw, if it is the government, it is the latter who is there. No passive submission is rational or reasonable; it is always by mutual agreement, with a view to a personal benefit, that we agree to give up some of its freedom - otherwise, it is up to us to recover it.

### ***Comment of the text***

Contrary to what rationalist philosophers, such as CLARKE, WOLLASTON or BALGUY in England, say, we know what is moral or immoral through feeling and not reason. Without being attached to a school, David HUME draws a characterization of morality as a result of passions. He knows very well, as most of his contemporaries (and unlike ours!), the fable of the bees, Mandeville.

Positivism has also played a determining role in the evolution of the concept of civil disobedience. Rejecting the hypothesis of a natural right valid everywhere

and at any time, he asserts that there is no right except by reference to concrete spatiotemporal coordinates. Thus, the law, even unjust, remains of the law and the law must be exercised imperatively even if it would be unfair.