

## Linguet *Redivivus* in Contemporary World

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### Foreword

This essay is on the social thought of Simon-Nicola-Henri Linguet, a famous *avocat*, and political pamphleteer of the Age of French Enlightenment. Linguet considers the essential social principles and the nature of social institutions derived from such principles as the system of jurisprudence. Nevertheless, during the nineteenth and twentieth centuries, he has fallen into oblivion<sup>1)</sup>. The essay shows what lessons his ideas could offer to industrialized societies including Japan, and so, through that analysis, attempts to offer a Linguet *redivivus*. In addition, it traces the history of research on Linguet in Japan.

In considering Linguet's contributions to the present world, the essay focuses mainly on Linguet's *La Théorie des loix civiles...*<sup>2)</sup>, in which the core of Linguet's social thought can be found out. Here Linguet offers a theoretical framework and discusses its characteristics. His conclusions could prove useful for the analysis of the present society.

The crux of Linguet's theory on the origins of society is the sameness of roots and simultaneity between society and slavery as principles of society, which might be challenging and startling. As he put it, from the beginning, society was divided between the master and the slave classes. This theory on the origins of society, at the same time, contains the anthropological conflict between hunters as masters and agricultural or pastoral peoples as slaves at the primitive world.

This class-divided society, namely the slavery society, according to Linguet, was the result of the fatal encounter of hunters with agricultural or pastoral peoples. Exactly what kind of encounter was this? Hunters, before the encounter, still had had the germ of society within them because of their manners of supply and distribution

of the means of subsistence. However, they had not developed a strong concept of private property and the ideas associated with it. On the other hand, agricultural or pastoral people had been the proprietors of fields and crops, and had already developed the concept of private property. In spite of that, they had not developed sociability; that is, their existence was isolated and solitary. 'Public interest' for them had been at best the interest of each family assembled around its head. Therefore, the first encounter of the former with the latter had resulted in the deprivation of the latter's property by the former. This had been a violent usurpation, which Linguet calls the 'first negation'. The violent negation of the first proprietors had produced society and slavery.

Hunters had initiated this deprivation following an iron rule of inevitability; for, the motive of conquering by violence had been the poverty and food shortage of hunters. Here lies the core of Linguet's thought on society and human beings. He held a materialistic conception of identifying human lives with the external dependency upon food. Thus, from the beginning, human beings had had no freedom. Linguet considers the manners of supply and distribution of subsistence as the determinant factor in the patterns of human life and historical change within human society. His antipathy against physiocracy and liberal economic thought is deduced from the realization of the importance of these principles. Upon this intellectual foundation, he establishes a vision of a jurisprudential, political and social system which could realize the guarantee of food supply for wage workers and their families. From this, he draws his new Spartacus, which implies a 'second negation.' In one sense, he is the forerunner of socialist ideas, but in another sense, anti-progressive and an anti-Enlightenment thinker.

So what brought Linguet to his idea of an eternal concept of mankind, in which, he defines it, mankind was

identified with animals, and was suffering from a shortage of bread to live? The essay argues that a lot of poor day labourers who earned only 5 *sou*, could not get the bread for the next day<sup>3)</sup>, or plenty of ruined artisans who were unable to escape from the cycle of debt, became prisoners, and let their only daughter in a poorhouse<sup>4)</sup>. Linguet actually saw them under the *ancien régime*. So, to deepen André Lichtenberger's interpretation of Linguet<sup>5)</sup>, this essay shows the commonality of the internal correlation and theoretical foundation of Linguet's two works; that is, his theoretical work *La Théorie des loix civiles*, and his occasional pamphlet *Du pain et du bled*<sup>6)</sup>. In analyzing *La Théorie des loix civiles*, which is concerned theoretically the principles of society, the essay bears the problem of food in *Du pain et du bled* in mind.

Here we find Linguet's greatest contribution to current economic theory, which tends to focus on production and supply, as the internal correlation and commonality of the theoretical foundation between the two works, namely the reaffirmation of a simple fact that agricultural workers are consumers of food as well as producers. Linguet repeats this point again and again.

In *La Théorie des loix civile*, Linguet called them 'journalier' or 'manouvrier', who, according to him, comprised three-quarters of the population. This was not exaggeration or mere rhetoric, but was a position derived from Linguet's view of human and society and their ideals. In that sense, he was not the forerunner of utopian socialist, but fundamentally a realist.

This view of society had its foundation in the human activity of guaranteeing the food supply and controlling its redistribution. He always saw not only the historical progress of human society but also the comparative merits and demerits of the jurisprudential or social system of each from that perspective. His focus is on what kind of staple food each society produces (i.e. bread in the Occident, rice in the Orient), what material characteristics that food has, and how each society conserves and redistributes that food — that is, he sees the legal or social system in terms of the manner of supply and distribution of the means of subsistence. This perspective of society results in Linguet's insistence on the superiority of rice crops in the Orient including Japan, and his non-progressivist view of history. In this respect, it is worth

evaluating him in the context of his established view that the dynamic relation between human beings and the production and consumption of food is the fundamental cause of social evolution.

Linguet, in *La Théorie des loix civiles*, depicts the birth of society according to these basic principles, and then considers the development of these principles in respect of the historical passage of marriage system and patriarchal family system, which is the theme of the third and fourth books of *La Théorie des loix civiles*. He identifies the 'curse' of modern sophistication as the evolution of a legal system from the ancient male-dominant one which consisted of the system of marriage for dealing with women and of patriarchal inheritance to the modern one which is based on the equality of men and women and the liberation of women.

Next, in the fifth book of *La Théorie des loix civiles*, he takes up the problem of the modern liberation of slaves in opposition to the Enlightenment thinkers and physiocrats, who encourage liberty. Thinkers who believes in the progress of history fall into a trap on this point; that is, a free society, which has been built upon the liberation and abolition of slaves, hides the strongest, cruelest, and most depraved and anti-humanitarian form of slavery. Established society in which the principle of property spreads over the whole globe transforms food to an adequate equivalent of the freedom for three-quarters of the people. The dread of the horror of the starvation produces an industrial reserve army eager for the dependency on masters in search for jobs. They are free, so free from the security provided by property and food. Linguet's identification of this group contributes a lot to the analysis of the contemporary world and its economy.

The final part of this essay will show the history of the introduction of Linguet into Japan, where the transition to a civil society began from a mechanical imitation of the Occidental values. The author points out that Linguet's thought in relation to anti-Enlightenment and anti-liberal attitudes is still useful for Japan at present; namely, contemporary Japan so much believes in the Western progressionist perspective that the traditional economic-social system which evolved in the context of the Japanese natural environment is on the verge of being abandoned<sup>8)</sup>. A storm-tossed small boat at the free ocean of Globalism — that is the present Japan. On this point,

Linguet's criticism of the Western progressionist view of history and his 'strange' insistence of the superiority of the Orient is useful for contemporary Japan. Thus, the essay hopes to contribute to the discovery of Linguet in modern-day Japan.

## I Linguet and his anti-Enlightenment

When Simon-Nicholas-Henri Linguet was a young lawyer in training, he succeeded in saving a young man implicated in the *La Barre* affair. In the next year after winning in his defense, he published *La Théorie des lois civiles*. Through this book, he succeeded in gaining fame as a journalistic controversialist, in addition to brilliant success as a lawyer. His fame spread throughout European countries such as Germany<sup>9)</sup>. From then on, he became notorious for his deployment of sophisticated paradoxes of anti-Enlightenment; he was given another name 'génie du paradoxe.'

*La Théorie des lois civiles* helped him assume the position of a leader of anti-Enlightenment in the then-rising world of political journalism. This was partly due to the fact in this book, he criticized a leading protagonist of the Enlightenment, Montesquieu and his *L'Esprit des lois*.

Linguet points out that 'climat', namely, the essential principle of *L'Esprit des lois*, has no foundation, and on the basis of examples of the Orient, is unrealistic; that is, the point normally considered as the most unique point in *L'Esprit des lois* is rejected due to his fascinating Orientalist taste.

In addition, Linguet refutes one by one Montesquieu's brief remarks on the theory of the origins of society and law and slavery. Linguet regards Montesquieu's argument in which the abolition of slavery is attributed to the Christian 'bienfait' (kind deed) as fictitious. That argument becomes standard after Montesquieu. But Linguet does not accept it. The abolition of slavery, Linguet argues, is the result of the situation in which the avarice and lust for power of the Roman Church and kings made feudal lords, who had become poor due to the Crusade, relinquish the serfs<sup>10)</sup>. He also points out the inaccuracy of Montesquieu's description of exoticism and comparison of civilizations (i.e. polygamy, divorce, slavery, etc.). Montesquieu, Linguet says, accepts the inaccurate descriptions of travel books as truth without questioning

their veracity.

On this point, Linguet reverses Montesquieu's argument on the Oriental tyranny. Surprisingly, according to Linguet, tyranny and slavery do not have the same meaning. Slavery in Asia is opposition to the tyranny, and is the trace of the 'nice' primitive customs. Once Asiatic slavery was destroyed and women and children gained their freedom, tyranny started to spread. He reverses Montesquieu's identification of tyranny with slavery;

La vérité & l'expérience nous apprennent qu'en général, dans tous les climats, sous tous les gouvernements, la liberté civile des femmes est toujours en raison inverse de la liberté politique des hommes. Elles sont plus esclaves & plus renfermées, à proportion de ce que l'état est plus libre; & plus libres au contraire, moins retenues à mesure que le despotisme & l'esclavage y font plus de progrès<sup>11)</sup>.

Whether customs are depraved or strict is decided not on the height of the latitude or the difference in forms of government. Whether women are confined in a harem or gain independence and civil liberty is decided on the basis of the degree of the freedom of their husbands in public laws.

In a word, tyranny was produced only by depravity. But, that depravity was produced by cutting the chains of slavery which custom imposed upon women<sup>12)</sup>.

Perhaps in the century of the Enlightenment, it was only Linguet who insisted on such a paradox. On this occasion, Linguet also criticized Montesquieu's *Considérations sur les causes de la grandeur des Romains et de leur décadence*, and was surprised at Montesquieu's argument in which Linguet thought he had misunderstood the main cause of the fall of Rome as the inheritance system in which fathers had limitless freedom<sup>13)</sup>. Overall, in respect of truthfulness, Montesquieu's 'esprit' is useless. "Mais l'esprit & l'agrémens ne sont rien."<sup>14)</sup> It seems natural for Linguet to criticize Montesquieu because *La Théorie des lois civiles* deals with the spirit of the civil law.

At this point it should be observed that the authors whom Linguet criticizes in *La Théorie des lois civiles* not only include Montesquieu. In particular, Linguet makes

a detailed refutation of writers on natural jurisprudence and the social contract such as Grotius, Hobbes, Locke, Pufendorf and Barbeyrac. Linguet reveals that the hidden rhetoric of natural jurisprudence is the depiction of human beings as free beings, and this view is diametrically opposed to Linguet's views on the simultaneity of the formation of society and slavery. Slavery and society had the same origins. Slavery, which enchained individuals, shared its date of birth with human society. He explicitly says,

Il est aussi impossible d'établir entre'eux une alliance durable, si l'on n'a des serfs prêts à travailler pour autrui, qu'il l'est de former sans chevaux un corps de cavalerie. Il faut à une société quelconque des animaux robustes, dociles & infatigables, qui en portent tout le poids; & c'est cette fonction que l'esclavage impose aux malheureux qu'il flétrit<sup>15</sup>.

Upon this fundamental principle, he bases his belief that in modern civilized society the class division between the wealthy and the poor is inevitable, and depicts how the riches and prosperity of one quarter of population are based upon the poverty of the remaining three-quarters. He also criticizes Rousseau's famous *Discours sur l'origine, et les fondemens de l'inégalité parmi les hommes* (1755). Linguet refutes Rousseau's illogical and fictitious theory of the concept of liberty. Linguet's refutation extends to include the Enlightenment's ideal of liberalism itself. At that time, it was only Linguet who raised such a comprehensive set of objections to liberalism.

In addition, Linguet's criticism of civilized society is different from Rousseau's in which he imagines to go back to the natural state of the savage. Linguet appraises Asiatic patriarchal slavery. When travel books became popular in eighteenth century France, the customs of Oriental society were normally picked up as strange and exotic, but their values were rejected. On the contrary, Linguet insists on the paradox in which slaves in Asia are much happier than civilized people in the West. Because of the simultaneity of slavery and the birth of society, the former is better than the latter, if it exists in its original state.

In this respect, Linguet's view of history seems to be

working in the opposite direction to that taken by most Enlightenment thinkers. This is the greatest paradox of the Enlightenment for Linguet: the history of human societies does not make progress, but becomes increasingly corrupt and actually regresses. So, the Asiatic form of government, which has remained loyal to ancient customs, is seen as the ideal form of government for the West.

Before considering this ultimate paradox, the relationship between the birth of society and slavery must be examined. There exists another paradox, which could acquire a new relevance in the contemporary world, namely that modern wage slavery is greatly inferior to the ancient form of patriarchal slavery.

## II The birth of society and slavery

In *La Théorie des loix civiles*, I would like to begin by examining Linguet's unique theory about the formation of society in which he asserts that the birth of society was coincidental with the birth of slavery. That is the argument of Book I, "De l'utilité des Loix", and Book II, "De l'origine des Loix," in which he demonstrates the simultaneity of the birth of society and slavery, followed immediately by the birth of laws for the permanent establishment of property in this unequal society.

First, he attempts to establish the origins of society. Here, his account is unique in the century of the Enlightenment, because the progressive view of his own time is that it was the contract between free individuals that formed society.

It is true that it does not matter why individuals came to wish a social contract, and why they hoped to leave the state of nature. "Il ne s'agit pas ici d'examiner s'il a bien ou mal fait d'en sortir, s'il auroit été le maître d'y rester, si l'on peut penser raisonnablement qu'il s'y soit jamais trouvé."<sup>16</sup> Because, mankind permanently had left the happy state of independence already.

Tragically, society from which human beings could not be separated brought servitude into human society. "Les plaisirs, les besoins, les maladies, tous ces apanages funestes de sa condition actuelle le retiennent dans la société de ses pareils, & le soumettent à toutes les especes de sujettions qu'elle produit. Il ne peut plus s'en écarter sans périr"<sup>17</sup>.

Because human beings automatically initiated slavery as soon as they gathered and formed society, the formation of society did not need any kind of contract. Nobody could be independent. Hence, the subtitle of *La Théorie des loix civiles* itself implies the negation of the theory of the social contract and natural jurisprudence. On the contrary, living in a society means the becoming slaves of the world itself. Linguet says that the civilized state also means the ultimate peak of servitude. “Dans nos pays policés, tous les élémens sont esclaves. Ils ont des maîtres de qui il faut acheter la permission d’en faire usage”<sup>18)</sup>.

This is an ingenious idea, the logic of which holds up in the context of the universalization of the private property in modern society, where even water and air become commodities. To put it another way, ‘progress’ and ‘Enlightenment’ in human beings effectively means progress towards their opposites—towards universal servitude and the privatization of everything.

Why brought about the enslavement of human beings? Why did they give their freedom to their oppressors, and fall into the state of the servitude themselves? The story of the birth of society, which Linguet recounts, is also unique, and illustrates the anti-aristocratic aspects of his thinking. Underpinning it all, is his discussion of the dynamic, two-class struggle between hunters and agricultural-pastoral peoples.

Linguet repeats again and again that nobody wants to become slave. In direct opposition to arguments of Hobbes, Montesquieu, Rousseau, and other natural jurisprudentialists, no one gives his or her freedom away by him- or herself. That kind of social contract theory is a fictitious and chimeric product. Even if human beings were motivated by reason or sympathy, they would not give their natural liberty to oppressors of their own free will.

So, what caused them to abandon their natural liberty? It was ‘une violence primitive,’ robbery, so to speak, ‘usurpation.’ To the degree that compulsion such as violence does not work, human beings do not proffer willingly their natural liberty.

However, it is clear that human beings as a whole did not become violent. Only a tiny percentage of them deprived the rest of their natural liberty; that is, society, from the primitive stage, divided into the people who

enforced their will upon others and the people who were enslaved, which Linguet depicts in this way:

Qu’ils songent à la position générale des hommes à l’instant où venoit de se former la société. Ils étoient séparés en deux classes, l’une de conquérans usurpateurs, *consacrés par leurs succès à donner des ordres*; l’autre d’agriculteurs tremblans, *condamnés par leur défaite à les recevoir*. Des propriétaires absolus d’une part, des serfs intimidés de l’autre, des maîtres ou des esclaves, l’excès de l’empire, ou celui de la soumission: telles étoient alors les deux uniques divisions du genre humain<sup>19)</sup>.

Thus, there has been no community of goods, equality, nor independence and liberty for the people as a whole from the birth of society. The establishment of society and the division of classes are two sides of the same coin and cannot be separated.

If this is the case, who were the usurpers? Who were the slaves who were alienated from their natural liberty and property? Here Linguet’s unique conception of class is the key to understanding his argument. One class, whose job was to kill animals, was accustomed to use violence; the other class, who worked on the land, was industrious, peaceful, and solitary<sup>20)</sup>. This concept was in conflict with public opinion and the widely accepted views of the Age of Enlightenment.

Hobbes’ theory of social contract would not have accepted that hunters had had ‘la premiere apparence’ (the first appearance) of society. On the contrary, for Hobbes, the ‘equality of ability’ of human beings in their entirety brought them into war. “And therefore if any two men desire the same thing, which nevertheless they cannot both enjoy, they become enemies; and in the way to their End, endeavour to destroy, or subdue one another.”<sup>21)</sup>

The equality of ability was nothing but an arbitrary metaphysical supposition. The depiction of mankind in general as uneasy and impatient lone wolves does not necessarily result in the fatalistic transformation of the hunters into slave masters and agricultural-pastoral people into slaves.

Nevertheless, Linguet presents this as the necessity of things. Thus, in his argument on the combination of

society and slavery, those who win and control slaves depend not on the vagaries of fortune, which Hobbes affirms. The winners were inevitably hunters who were accustomed to use violence.

Society began when warlike hunters who had developed an archetype of society<sup>22)</sup> encountered agricultural-pastoral people whose lifestyle was characterized by solitude, and who had not experiences of society and had developed the concept of private property and benefitted from it.

On the flanks of the mountains dominating the agricultural land which were the residence of hunters, there assembled hunters. The characteristics of hunters, as Linguet depicts, were identical with those of cruel soldiers. “C’ étoient les inventeurs de l’arc & de la flèche, des chasseurs accoutumés à vivre de sang, à se réunir par bandes, pour surprendre & terrasser plus aisément les bêtes dont ils se nourrissoient, & à se concerter pour en partager les dépouilles.”<sup>23)</sup>

On the other hand, peasant farmers liked to be solitary because they had already established a system of private property. “Le laboureur, avec du travail & une pierre, ou une branche d’arbre, ouvrira la terre seul. Il y semera seul ses grains. Il les recueillera seul & subsistera. La nature de ses provisions lui permet de les garder longtemps. Il doit donc en être avare, du moment qu’il en a éprouvé l’utilité... Il cachera son trésor avec plus de soin, que les écureuils & les hérissons ne dérobent à la vue leurs magasins, parce qu’il lui aura plus coûté.”<sup>24)</sup>

The food supply system established by peasant farmers had some merit in comparison with that of the hunters. Peasant farmers could store their food over time. This meant that they could survive long periods of solitude. “L’appréhension que des être même de son espece ne viennent le partager avec lui, l’engagera à les fuir tous, comme des ennemis dont il se défie.”<sup>25)</sup>

On the contrary, the characteristics of hunters’ food supply, and the motivation associated with securing it produced “la confédération primitive”, which was the archetype of society. As Linguet says, the associating in groups did not have a psychological cause such as Montesquieu’s ‘la crainte’ (fear), or Hobbes’ ‘la réflexion’ (deliberation)<sup>26)</sup>. It was the hunters’ poverty and need that led them to establish their social contract. Bringing poverty and need into the establishment of a true society

was a question of time.

The hunters’ culture as it developed was not created in the image of Don Quixote. Their assault on agricultural or pastoral people was not based on hunters’ unrealistic and unreasonable warlike impulse. They were not knights who enjoyed a tournament with lances for their leisure. Because they were driven by ineradicable impulse, their acts inevitably reached barbaric proportions. That impulse was to satisfy their appetite for living. Its cause was, needless to say, hunger when their food sources were inadequate to satisfy their needs.

The hunters had advanced weapons and the ability to cooperate with a high level of effectiveness, which had the appearance of constituting a society, so they appropriated all the sources of protein around them. As always, Linguet’s research enables him to depict the necessity and inevitability of things; in that, refined concepts of human psychology were unnecessary. “Mais dans ces courses entreprises par des associés avides de carnage, il est impossible qu’il ne s’en soit trouvé de malheureuses.”<sup>27)</sup>

When hunters failed to discover an adequate supply of wild animals, they were forced to search out frightened peasant farmers around them. “Il l’est aussi que la vivacité de leurs recherches, nourrie par la faim, ne les ait pas amenés auprès de quelqu’une de ces métairies où trembloit l’Agriculteur au milieu de ses troupeaux.”<sup>28)</sup>

The first encounter ended when the hunters deprived the frightened peasant farmers of their liberty, and made them their slaves; so, violence produced the true society<sup>29)</sup>. The society produced in that way, was divided into two classes from the beginning; that was, a class defined by labour, and a class defined by its ability to enjoy the products of that labour.

La société veut absolument que, parmi ceux qui la composent, les uns consomment sans inquiétude, tandis que les autres se livrent à des travaux pénibles; que les premiers ne soient embarrassés que de leur oisiveté, & que les seconds n’ayent pas dans leur vie un seul instant exempt de fatigues. Il a bien fallu pour l’établir, repousser une partie des hommes dans ce dernier état... La violence seule est capable de les y assujettir...il fallut donc primitivement user de contrainte<sup>30)</sup>.

Society means the ‘vallée de larmes’ (vale of tears) for the lowest class who could not even secure their food supply<sup>31)</sup>. The state in which society divides into two classes where the consumers’ and idle class is wealthy, and the labouring and industrious class is poor, is the fatal defect of society. The problem is the unequal state of human beings in general. If they enjoyed greater equality, Linguet argues, they would be no crime. “S’il n’y avoit pas de société, y auroit-il des voleurs?... N’est-ce pas de la distribution inégale des biens que naissent les contraventions que la justice punit? N’est-ce pas elle qui rend la subsistance si difficile aux trois quarts des hommes, & quelquefois même impossible? Si elle ne s’étoit pas introduire dans le monde, l’égalité soutenue par l’indépendance, y fermeroit le passage aux caprices inhumains de l’ambition.”<sup>32)</sup>

But, since the division of classes dates back to the establishment of society itself, there could be no true equality without abandoning society itself. Linguet’s ‘three-quarters’ could not gain their liberty without abandoning it altogether.

Hence, in opposition to the *Philosophes*’ or *Economistes*’ formula of the compatibility of society with freedom, one could not achieve liberty without overturning society itself. “Leurs Auteurs disent qu’ils voudroient voir tous les hommes libres; mais ils ne songent pas que l’accomplissement de ce voeu est incompatible avec l’existence de la société... Loin leur en faire sentir l’injustice, attachez-vous à leur en inculquer la nécessité... Mais enfin, c’est -là leur sort du moment qu’elles sont entrées dans une étable. Avant que de parler de les y soustraire, commencez par renverser l’étable, c’est-à-dire, la société.”<sup>33)</sup>

However, even though Linguet refers to the abolition of unequal distribution of property and reaches the disturbing conclusion that society will be overturned, he does not expect revolution. On the contrary, because of his prediction of this sinister future, that is to say, the arrival of the ‘nouveau Spartacus’, before it is too late to protect the three-quarters of the people, society should build the legal system following the Oriental model of patriarchal slavery, and redistribute social wealth. Thus, the poor three-quarters should become ‘le plus utile instrument de luxe’ (the most useful instrument of luxury) for the wealthy<sup>34)</sup>. Only this kind of the ‘remedy for the poverty’ for the three-quarters of society who constitute

the labourers could make them patient. In the final paragraph of *La Théorie des loix civile*, Linguet argues, “voilà pourquoi la Philosophie qui l’exhorte à la patience, est bien plus raisonnable que celle qui l’encourage à la révolte.”<sup>35)</sup>

Nevertheless, the contemporary society seems to forget the Linguet’s advice completely.

### III ‘Qu’est-ce que le Quart-État?’

Liguët’s contemporaries believe that human beings are free, which Linguet regards as quite absurd because they ignore the indispensability of slavery to society. They do not notice that this ‘freeman’ can be freed only from employers, since they do not know the actual circumstances of poverty. Three-quarters of the people own only their free bodies, and do not possess all of the other requirements to necessary to live; in other words, all of the requirements to live are owned by their legal proprietors. Accordingly, they are entirely deprived of the fruits of labour.

C’est l’impossibilité de vivre autrement, qui force nos journaliers à remuer la terre dont ils ne mangeront pas les fruits... C’est la misere qui les traîne sur ces marchés, où ils attendent de maître qui veuillent bien leur faire la grace de les acheter. C’est elle qui les réduit à se mettre aux genoux du riche, pour obtenir de lui la permission de l’enrichir<sup>36)</sup>.

People who have the freedom from employers have nothing but the freedom to die in an economy where only workers can be paid:

Il s’agit d’examiner quel est le gain effectif que lui a procuré la suppression de l’esclavage. Je le dis avec autant de douleur que de franchise: tout ce qu’ils y ont gagné, c’est d’être à chaque instant tourmentés par la crainte de mourir de faim, malheur dont étoient du moins exempts leurs prédécesseurs dans ce dernier rang de l’humanité<sup>37)</sup>.

If they were slaves, at least they would not die of starvation.

L'esclave étoit nourri, lors même qu'il ne travailloit pas, comme nos chevaux ont du soin les jours de fête. L'espérance du service qu'on en tireroit dans les tems d'occupation, lui faisoit assurer des alimens dans le tems du repos<sup>38)</sup>.

However, in respect of the 'manouvrier libre' (free day labourer), that's another matter; if he died of starvation, no one would have the slightest interest in him.

Mais le manouvrier libre qui est souvent mal payé, lorsqu'il travaille, que devient-il lorsqu'il ne travaille pas? Qui est-ce qui s'inquiete de son sort? A qui en coûte-t-il quelque chose, quand il vient à périr de langueur & de misere? Qui est ce qui est par conséquent intéressé à l'empêcher de périr?<sup>39)</sup>

Thus, the relationship between employers and day labourers are much harsher than the one between slave-masters and slaves. Employers do not concern themselves about workers' conditions and fortunes. The reason is that it is needless to do so. Day labourers are nothing but components of a machine which can be easily replaced. There are a lot of people who have fallen into the state of the day labourer. That state is like the Roman legion Pompey was proud of. He boasted that if he trod the ground, soldiers would sprout up. In the modern economy, this boast is realized:

Il semble qu'elle ait réellement le secret dont se vantoit sans raison le malheureux Pompée. En frappant du pied la terre, elle en fait sortir des légions d'hommes laborieux qui se disputent l'honneur d'être à ses ordres<sup>40)</sup>.

We are facing the birth of the industrial reserve army. This concept is employed by Marx in *Das Kapital*, but Linguet deserves the credit for first articulating it, and, this has been 'le Quart-État' (fourth estate), through the French Revolution to the present.

Linguet says that in the modern society, only two classes exist; that is, masters and the rich who have everything, and poor people, or slaves who have nothing but their physical bodies. The richer the former grows, the poorer the latter becomes due to the lack of property.

The latter are the modern *proletariat*, or to use another term, the *fourth estate*. All of the members of this class are basically the *industrial reserve army*. Linguet denounces the harshness of the society of his time always having the unstable working class, in comparison with the primitive 'humanistic' slavery. The capitalist system is much more slavish than the humanitarian governments in the Orient. Linguet expresses his startling paradox as following;

L'esclave étoit précieux à son maître en raison de l'argent qu'il lui avoit coûté. Mais le manouvrier ne coûte rien au riche voluptueux qui l'occupe. Du temps de la servitude le sang des hommes avoit quelque prix. Ils valoient du moins la somme qu'on les vendoit au marché. Depuis qu'on ne les vend plus, ils n'ont réellement aucune valeur intrinsèque<sup>41)</sup>.

In the modern wage-based slavery, human beings who have the liberty as "un des plus funestes fléaux qu'ait produit le raffinement des temps modernes"<sup>42)</sup> have no intrinsic value.

Certainly, the system in which human beings have their price on the labour markets existed in the past in a form essentially the same as that found in the present. However, in the modern form of slavery, whether slaves appear at a market depends on the arbitrariness and caprice of purchasers or employers, simply because the number of slaves, in other words, that of commodities of labour force is too enormous to employ fully them; that is, in the modern version of slavery, the fall in the value of the individual human being existing as a wage slave is exactly proportionate to the continuous growth of 'industrial reserve army.'

Marx, incidentally, who accepts Linguet's ideas, says, the 'industrial reserve army' is increasing regularly. Nevertheless, according to Marx, it is fortunate that the Malthusian law of population would be applicable only to the working population under the capitalist system:

The labouring population therefore produces, along with the accumulation of capital produced by it, the means by which it itself is made relatively superfluous, is turned into a relative surplus population; and it does this to an always increasing extent. This is

a law of population peculiar to the capitalist mode of production<sup>43</sup>).

This law of population would not end as far as the modern capitalist society continues. Linguet argues that wage slavery would continue to operate with greater cruelty than the ancient form of slavery, as far as such a society exists. Therefore, his concluding remark is that without the abolition of this society, neither the Malthusian law of population, nor the ‘industrial reserve army’ could be abolished, which Marx also points out in the end of the first book of *Das Kapital*.

The capitalist mode of appropriation, the result of the capitalist mode of production, produces capitalist private property. This is the *first negation of individual private property*, as founded on the labour of the proprietor. But capitalist production begets, with the inexorability of a law of Nature, its own negation. It is the *negation of negation*. This does not re-establish private property for the producer, but gives him individual property based on the acquisitions of the capitalist era<sup>44</sup>).

Certainly, this re-establishment of private property has a fearful condition, in which Marx argues, ‘the expropriators are expropriated.’ This is the second negation, that is the famous negation of negation. For Linguet, that is the overturning of society, which Marx hopes for, but Linguet hopes to prevent through promoting the fundamental principles of Oriental society. In view of the perspective of history, Marx still argues for a future society based on ideas of human progress. Linguet paradoxically dreams of the revival of the ancient slave-based society as the ultimate method of extricating human beings from the cycle of corruption and regression.

#### IV Linguet *redivivus*

Linguet’s views on the basic principles of society and the rights of the fourth estate have become the main-spring to revive interest in applying Linguet’s analysis to present-day capitalist society including Japan, and to re-assess his anti-liberalism.

Another motive among scholars seeking to revive

interest in Linguet is his anti-physiocratic theory of political economy in his challenging book, *Du pain et du bled*<sup>45</sup>. This book was published seven years after the publication of *La Théorie des loix civiles*. At that time, Turgot, a supporter of free trade in corn, is deployed as ‘*contrôleur général*’ (Minister of Finance). Before Turgot, the managers of this office had been made repeated mistakes. On 20th July, 1774, with the enthronement of Louis XVI, ‘*la liberté du commerce des grains a l’intérieur du Royaume*’ was declared.

According to Linguet, human beings are food-consuming animals. In this respect, food, or bread, definitely differ from the other products of ‘*le raffinement des temps modernes*’ (modern refinement). To consider both of them as the same commodity is an extraordinary illusion or ‘*chimere*’ (chimera).

To make a distinction between the commodities which workers produce and food labourers produces is definitely important. For, in respect of the principle of Rousseau’s ‘*amour de soi*’ (love of self), this distinction could make life an inviolable right. From such a view, Linguet says,

D’abord l’identité supposé entre le bled & les autres objets du commerce, est une *chimere* cruelle, destructive du *premier de tous les droits*, combattue par la raison & *par l’expérience*, propre uniquement à aveugler les meilleurs esprits, & à introduire dans l’administration les plus affreuses méprises, au lieu des *vérités* qui doivent la diriger. Il y a dans le fait & dans le droit une prodigieuse différence entre ce *présent* de la nature, dont l’habitude fait une *nécessité* exclusive & journaliere, & ces productions de l’industrie, dont l’usage n’est jamais indispensable, & dont l’achat peut toujours être *différé*<sup>46</sup>.

Thus, the main food of the populace should not be entrusted to the ‘invisible hand of God.’ From this point, Linguet opposes the liberalization of corn trade, which physiocratic economists including Turgot advocate. Linguet’s anti-liberalism here is in accord with his attack on liberalism in the last chapter of *La Théorie des loix civiles*. In *Du pain et du bled*, this criticism of economic liberalism leads Linguet to his insistence in very close to socialism. Linguet seems to take a humanist standpoint

in attacking the unfairness of the relationship between starvation and the price of wheat. As can be imagined from his expression 'par l'expérience', his point of view might be based on his experience. Already in Book V, Chap. 27 of *La Théorie des loix civiles*, he depicts in a humane way the details of the death in prison of a poor shoemaker, and the subsequent death from disease of his only daughter<sup>47)</sup>.

Again, in *Du pain et du bled*, Linguet vividly depicts death from starvation. This was the famine which happened in Artois<sup>48)</sup>, which was the ominous outcome of inhuman calculation and speculation brought about by a modern commercialist spirit. We should call to mind that in the age of Linguet, food shortages were regarded as the outcome of 'complot de famine' (plot of famine) made up by corn traders and the kingship.

Comment des ames honnêtes ont-elles pu s'aveugler au point de s'occuper sans frémir de ces *calculs insidieux* ou plutôt de ces poignards aiguisés *pour assassiner l'indigent*. Comment a-t-on pu dresser de sangfroid & avec bonnes intentions, ces tables fatales, ces vraies tables de proscription portées contre tout pays qui aura le malheur d'être l'extrême désavantageux? Que servoit, aux marchés où le bled se vendoit 42 livres, l'abondance de ceux où il n'en valoit qu'onze? *Le misérable expirant à Saint-Pols en Artois de douleur & d'inanition sur les cadavres de ses enfants déjà consumés par la faim*, étoit-il soulagé par la vigueur dont jouissoient à bas prix ses pareils à Murdebarrez? Quel étoit donc l'objet ou l'aveuglement de ceux qui ont produit sous les yeux du public & du gouvernement des calculs si absurdes & cependant si terribles<sup>49)</sup>.

This comparison of Saint-Pols, a starving town, with Murdebarrez, a town which profited from the corn trade is an ironic paradox produced by the *modern refinement*.

From this point, in this book, Linguet insists that the freedom of corn dealings including corn trade should be prohibited, and that corn, especially wheat and bread, should be entrusted not to the markets, but placed under the control of the police. He denounces the evil of wheat dealings, because *salus populi suprema lex esto*.

Il n'y a donc, quoi qu'on dise, aucune ressemblance entre la *denrée consacrée* parmi nous à la subsistance habituelle, & toutes les autres matieres sur lesquelles s'exerce impunément le *génie spéculateur des négociants*. La police, responsable à l'état de la conservation des hommes laborieux qui en font le soutien, peut & doit mettre un frein à toute espece de manoeuvre qui tendroit à la compromettre. A l'instant où elle court le moindre risque, il n'y a pas de moyen qu'elle ne soit obligée de mettre en œuvre pour l'assurer. C'est alors que l'axiome, **Salus populi suprema lex esto**, doit être mis en usage dans toute son étendue. C'est alors qu'il faut chercher du bled où il est, & par tout où il est. C'est alors qu'il faut garnir le marché à quelque prix que ce soit. Le *prétendu propriétaire* n'en devient plus que le gardien: sa *prérogative*, comme toutes les autres sans exception, cede à *un droit encore plus sacré, source ou écueil de tous les droits, à la nécessité*<sup>50)</sup>.

This kind of argument has been revived in the guarantee of the national right to life and the movement for the right for food. It has also become an anti-globalism alternative popular in Central and South America, and one of themes of the World Social Forum.

If the human right to life is threatened by shortages of food or fuel, people, Linguet insists, have the right to return to the state which pre-dates society. Then, a communist rebellion aimed at instituting the common management of property would result in the elimination of private property.

En supposant que la réunion des hommes en société soit volontaire, & fondée sur des conventions, jamais sans doute ces conventions n'ont stipulé que le possesseur investi du domaine d'un champ en deviendrait le *propriétaire*, l'arbitre, sans exception ni limitation quelconque: jamais ses voisins, en s'engageant à respecter sa jouissance, n'ont juré de mourir de froid auprès de sa haie, plutôt que d'en couper les branches sans sa permission pour faire du feu, ou de faim à la porte de sa grange, plutôt que d'y entrer sans sa volonté pour y prendre du grain... Mais à l'instant où toute ressource à cet *égard* leur

manque, la haie & la grange redeviennent communes, du moins tant que le besoin existe, & qu'une nécessité absolue place les voisins du propriétaire entre l'infraction de la loi ou la mort<sup>51)</sup>.

It is easy to see why *Du pain et du bled* became the favorite book of Babeuf, who planned a communist rebellion immediately after the *coup d'État* of the Thermidorian.

Around the time *Du pain et du bled* was published, Linguet also became notorious in his legal company. In *Parlement* and *Ordre des avocats* the organization moved to repeal Linguet's qualification as *avocat*. On the pretext of his assault on his senior *avocat*, he was expelled from the *Ordre des avocats*. After that he briefly recovered his qualification as an *avocat* through the intervention of the consort of Louis XVI. However, because his activity as *avocat* was accompanied by his over harsh pleading and fierce attack against the *Parlement*, finally, in March 1775, he was deprived of his qualification as *avocat*. In October, 1775, Linguet published his *Journal de politique et de littérature*. Nevertheless, his biting criticism of authority resulted in its suspension by the *Parlement*. Isolated from those close to him, he was in danger of being imprisoned. Perceiving this, he decided to flee from France. At the beginning of 1777, he escaped to London via Brussels. There, in April 1777, he published *Annales politiques, civiles, et littéraires du dix-huitième siècle*. This journal, in spite of being banned from publication on several occasions, continued in print until 1791. After his three-year life in exile, he returned to France in 1780, but was immediately arrested by the police, and imprisoned in the Bastille. It was quite characteristic of Linguet that the reason for his imprisonment could not be agreed upon due to its extent of his offences. Linguet was imprisoned without great reason, but, in May 1782, was released without explanation. We can assume that he still felt threatened, because he again fled to London. In London, he published his *Mémoires sur la Bastille* in his *Annales*. The publication of *Mémoires sur la Bastille*, brought him fame, indeed, much greater prominence than he ever had as a fighter against anti-tyranny; on the other hand, he became a favorite of the Hapsburg Emperor, Josef II. This would prove fatal to him later. Indeed, as was usual with him, a quarrel broke out between him and Joseph, and he was banished. It seems that on

a fundamental level he did not support the idea of the enlightened despot (*despote éclairé*). After his banishment, in 1788, he returned to France.

He kept a facile pen, and criticized the *Parlement* in *Annales*, and in doing so, earned the support of the royal family. Around this time, his fame reached its peak. However, since one of the reasons for the French Revolution was the *Parlement's* reaction against the absolute monarchy, on the eve of the French Revolution, he rapidly lost public support. Due to the people's radicalization and terrorism, he felt he was in danger, so he shut himself up in a village near Paris. But, there, because its inhabitants knew of his former fame, and believed him capable of good government, they selected him as mayor. This reemergence on to the public stage, his intimacy with the royal families of Britain and Austria, and his undertaking to plead for the French king proved fatal to him.

In September 1793, he was arrested by the Committee of General Security, and imprisoned in *La Force*. Ironically, while he languished in jail in November 1793, La Barre executed as a blasphemer rehabilitated his reputation at the *Convention*.

Even so, he hoped to plead for himself at his trial. Contrary to his expectation, after the rapid trial, he was guillotined on 27 June, 1794.

In his summing up, Fouquiller-Tinville, the chief prosecutor of the Revolutionary Tribunal, denounced Linguet in the following words: "Connu par ses écrits et son séjour dans les cours de Londres et de Vienne auprès des despotes, ... était un des intimes conseillers du traître Capet contre la Révolution ... il était toujours le partisan et l'apôtre du despotisme."<sup>52)</sup> This was the rationale behind his death sentence. In his defence, Linguet consistently argued that he had been the victim of despotism. "Ma justification se réduit à un mot: c'est que j'ai éprouvé toutes les espèces de despotisme avant Révolution, que, par conséquent, je n'ai pas pu en devenir ni l'ami ni le complice des despotes."<sup>53)</sup>

This was Linguet's final speech, a man who had experienced imprisonment under the despotic government of the *ancien régime*. It was ironic that a victim of tyranny should be guillotined as an advocate of tyranny. It was also ironic that his date of birth was 'Quatorze Juillet'. There was another irony; unfortunately, if Linguet had

stayed in *La Force* just one more month, he would have been released. This was a sad fact, and something we can put down to chance.

Had he survived *La Force*, his name and writings, which amounted to over eighty books, would not have dropped out of history. In the middle of the nineteenth century, even in a eight-volume history of French literature and political publications, he was mentioned only as the writer of the lengthy *Annales politiques, civiles, et littéraires du dix-huitième siècle*.

At the centennial of Linguet's death, his reputation experienced a revival in Europe. Andr· Lichtenberger, in his *Le Socialisme au XVIII<sup>e</sup> siècle*, an extensive study of socialism in the eighteenth century, took up Linguet, and analyzed his social thought. In his assessment of Linguet's significance, he writes:

Mais cette absence de conclusions pratiques amoindrit à peine l'importance de son rôle de précurseur. Car il annonce vraiment le socialisme dans ce qu'il a de plus redoutable et de plus juste, dans sa critique... s'occupant presque exclusivement d'étudier le sort des hommes vivants, des ouvriers et des paysans et de discerner le mécanisme de leur condition, il se rapproche des socialistes industriels modernes plus que de la première école socialiste française, et c'est un des rares écrivains antérieurs à 1789 dont on puisse dire, avec quelque fondement, qu'il est plutôt un précurseur de Karl Marx qu'un ancêtre de Fourier ou de Cabet<sup>54)</sup>.

Lichtenberger perceptively sees Linguet as the true precursor of Marx, rather than Fourier or de Cabet. Linguet's thought offers an accurate analysis of the basic principles of society, which is relevant to the present world and its economy. Above all, he established the basic principle of society which remains as relevant now as it ever was. Furthermore, based on his personal experience, and by dynamically deploying the paradoxical basic principle, he vividly depicted the injustice of private property, the evil of the modern society, and the unendurable state of the fourth class. Because he based his views of this permanent basic principle, he has a far broader perspective than was prevalent in French society at the end of the *ancien régime*. In that sense, regardless

of whether he himself was conscious of the fact, he wrote 'für ewig.'

## V The concise history of Linguet's introduction into Japan and its significance

The reason why Linguet's *La Théorie des loix civiles* has long been known in Japan is closely connected with the early and rapid permeation of Marxism into academic circles in Japan.

Marx, in the process of preparing *Das Kapital* in 1857-8, made notes known as *Grundrisse*. Three years later, from 1861 to 1863, he made notes later known as *Theorien über den Mehrwert* (*Theories of Surplus Value*), which consisted of twenty-three notes in total. From the sixth to the early part of the fifteenth note (covering the greater part of the book), Marx cited the first, the second, and the fifth book of Linguet's *La Théorie des loix civiles*. Karl Kautsky published these massive notes in 1905 as *Theorien über den Mehrwert*.

Research into Marx in Japan, even before the end of the Second World War, reached a high level even by international standards. From 1925 to 1928, *Theorien über den Mehrwert*, including the citation from Linguet's writings, had been partially translated into Japanese from the edition of Kautsky. After the war, this book was translated into Japanese at least four times, including a translation of the East German Dietz edition. It was a time when Marxist economics prospered in Japan. Through these translations of the Marx's notes relating to economics, Japanese scholars on Marx learned of the name of Linguet indirectly and had been exposed to his criticism of physiocracy. However, almost every Japanese scholar on Marx seems to have assumed the social-progressivist position similar to that of Condorcet. In addition, Marx himself saw physiocracy in the same tradition as the work of Adam Smith, the first advocator of the labour value theory. By reason of the solution of François Quesnay's *enigme* in his *Tableau économique*, Marx identified Quesnay as one of producers of the scientific economics. As a result of his anti-physiocracy position, Linguet seems to have been ignored as an object of research by Japanese scholars of Marx. The social thought of Linguet, which opposed the development of the capitalism, has been excluded as reactionary non-

sense.

However, Linguet's thought came to be known not only through the translation of *Theorien über den Mehrwert*, but also by another route, one completely unrelated to *Theorien*, in which Linguet has been read and has attracted serious research; this was at the end of 1950s, when Linguet was introduced as a fighter against tyranny. Linguet's *Mémoires sur la Bastille*, which could be obtained even then, was accorded attention for the first time in Japan by at least two Japanese scholars on the history of French thought. One was Professor Kyō Nozawa (1930–), who was my mentor. Prof. Nozawa translated the massive *Dictionnaire historique et critique*, edited by Pierre Bayle (1647–1706), and he is also a researcher into the history of tolerance.

Prof. Nozawa saw the defeat of the Japanese imperialism while studying at the Preparatory Department of the Naval Academy in Hiroshima. Thus, he carries a health insurance card which identifies him as a *hibakusha* (a person who was exposed to radiation from the atomic bomb). After that, he entered Urawa High School, where he studied under Prof. Noboru Hiraoka (1904–1985), a leading researcher into Rousseau. He was soon hooked on French literature, and read one book after another in the original French. His speed of reading was very rapid, something which his friends and acquaintances still talk about. His appetite for books did not weaken even after he entered the Department of French Literature at Tokyo University in 1949.

In addition to his activity as a leader of the student movement, he read many anarchists' and surrealists' books, and also the various writings of French left-leaning intellectuals. However, his interest in leftist literature did not mean that he was swayed by authentic Marxism or the leftist thought of the French Communist Party, in fact, he read a wide variety of books on ideas and literature, not confining himself to the radical left. For instance, he read the writings of Paul Nizan (1905–1940), early on. Nizan had left the French Communist Party because of his opposition to the German-Soviet Non-aggression Pact in 1939. Surprisingly, in 1967, Prof. Nozawa made a translation of Nizan's famous *Le cheval de Troie* for a publisher directly owned by the Japanese Communist Party.

At the same time, he read the work of Boris Souvarine

(1895–1984), who had written a famous anti-Stalinist biography of Stalin, and the writings of Alfred Rosmer (1877–1964), who had been expelled from the French Communist Party. Furthermore, his interest in works on French social thought was extremely various, from the writings of the nineteenth-century *Blanquist* to those of *anarcho-syndicalism* represented by George Sorel (1847–1922). A famous biography, *L'enfermé*, written by Louis Auguste Blanqui (1806–1881), was translated into Japanese in 1972 by Prof. Nozawa.

He was, above all, interested in people imprisoned by the controlling power. Among these readings, we can be sure that Linguet's *Mémoires sur la Bastille* would be included. In addition, he completely absorbed the leftist, anti-Marx thought of George Sorel. In connection with that, it is interesting to note that in his house there was a bust of Marcel Martinet (1887–1944), a famous *syndicalist*, which had been made by Hiroatsu Takada (1900–1987), one of the most famous Japanese sculptors. Certainly, Prof. Nozawa was very familiar with the research into the history of the establishment of the French Communist Party, so he highly evaluated the doctoral thesis of Annie Kriegel (1926–1995) on the origins of the French Communist Party. Prof. Nozawa was also a poet, and read many anthologies of work by leftist poets like Marcel Martinet.

Graduating from the university in 1953, Prof. Nozawa, in a period when Japan regaining its economic prosperity and atmosphere of freedom, introduced many leftist writings one after another, and translated a huge number of them. It might not be an exaggeration to say that he had read or consulted every French leftist book. It was at that time that he became familiar with André Lichtenberger's *Le Socialisme au XVIII<sup>e</sup> siècle*, in which Linguet was considered as a part of socialist thought. Prof. Nozawa used Lichtenberger's collection of fairy tales as a text for his students of the French language. He recognized afresh the importance of introducing Linguet into Japan. He recommended the translation of Linguet's *Mémoires sur la Bastille* to Prof. Kazuo Anzai (1928–) at Waseda University, with whom Prof. Nozawa became acquainted while he was teaching French there. Prof. Anzai published his translation of *Mémoires sur la Bastille* in 1967, with the detailed commentary<sup>55)</sup>. At that time, Linguet's original social thought was introduced in

Japan for the first time.

Prof. Anzai knew Linguet through the translation of *The Rise of European Liberalism: An Essay in Interpretation* by Harold Joseph Laski (1893-1950)<sup>56)</sup>. Thereafter, Prof. Anzai did not lose his interest in Linguet; when he went to France in the summer of 1957, he visited Reims, Linguet's birthplace, and saw Linguet's portrait. As a result, he intended to introduce Linguet's social thought, and made and started collecting his books and writing assiduously. In the 1960s, he knew that the library of Waseda University held a copy of Linguet's *La Théorie des loix civiles*, which had been donated by Yoshitaka Komatsu (1906-2000), a distinguished scholar on social economic history, and a former professor of Waseda University. This book was said to be the three-volume edition published in 1767, the version of which I have not yet seen. In any event, Prof. Anzai encountered Linguet in a completely different way from Prof. Nozawa, and was captivated by Linguet's heretical, anti-modern theory.

Linguet's name entered Japan by other routes too, and his achievements came to be known through the many translations of works on the general history of economic thought. In Laski's writing, Linguet's name was cited only once or twice. By comparison, J. A. Schumpeter's *A History of Economic Analysis*<sup>57)</sup> assigned many pages to Linguet. It is like that this had greater impact in Japan than the Laski translation. The library of Hitotsubashi University holds Linguet's *La Théorie des loix civiles*, which may be connected with the fact that the translation of Schumpeter's book was done by a professor of Hitotsubashi University. There is another possible link with Hitotsubashi University. Hiroshi Mizuta (1919-), a researcher on the history of social thought, and a graduate from Hitotsubashi University, taught French economic history, which was Prof. Shizukazu Yoshida's (1930-1982) major, and he wrote an article on Linguet's *La Théorie des loix civiles* in a dictionary on world classics.

However, to date, no Japanese university library holds as a complete set of the *Oeuvres de M. Linguet* (1774), which included *La Théorie des loix civiles*, and *Du pain et du bled*, both of which are of crucial importance to understanding Linguet's social thought. The Library of Hokkaido University has kept in storage only the first volume. The 1774's edition of *Du pain et du bled*, is held by

three universities (Otaru University of Commerce, Kochi University and Hitotsubashi University) but only as a volume of *Oeuvres de M. Linguet*. A bookseller of foreign books in Japan purchased the whole six volumes of *Oeuvres de M. Linguet*, which must later have been bought by some university library.

The Library of Senshū University has kept in storage several items of Linguet's writings, as a result of the interest of Professor Kiyoji Kizaki, who presented an essay introducing Linguet as a critic of progressivism in the *Study of the State Theory*<sup>58)</sup>. He also did research on Rousseau in the field of history of economic thought. His essay located Linguet as an opponent of social progressivism, in contrast with Rousseau's criticism on civilization. In the essay, he draws one inaccurate conclusion; he asserted that in Linguet, unlike Rousseau, there had been no prospect for the future, although Linguet's criticism of the class-divided society, the discovery of the fourth class in civilized society, and his unlimited compassion towards their poverty existed in his work. Prof. Kizaki's conclusion, as I argued before, is unjustified. Prof. Kizaki was typical of intellectuals who believe implicitly in the values of Western-style social progression. Certainly, from Western values, Linguet might be seen as reactionary; for, he saw the Orient patriarchal slavery as the manifestation of Oriental values, and praised them for it. Modern Japanese, as well as Westerners, have generally had a prejudice in which they have made the fundamental assumption that slavery is evil. Therefore they could not accept Linguet's analysis in which they themselves are seen as slaves.

As I mentioned earlier, it cannot be said that the figure of Linguet as seen through the vehicle of Marx's *Theorien über den Mehrwert* has an accurate focus. Generally, when one perceives Linguet only as a critic of capitalism, his complete picture cannot be understood. It is necessary to comprehend his anti-physiocratic economic position in greater detail in the context of its situational or political aspects; in other words, Linguet's ideas should be regarded as a foundation of anti-liberal, anti-global economics. This becomes clear if we take the broad view of Linguet's social thought through connecting Linguet's most important work *La Théorie des loix civiles* in 1767 with his polemical work *Du pain et du bled* in 1774.

Ironically, this leads to a paradox in socialist thought. Both Engels and Marx considered the liberalization of the corn trade, and the place of trade in the development of industrial capitalism, but they evaluated them in the context of profit for the revolutionary working class; that is, their analysis was based on the progressionist perspective of the Enlightenment. What they had in mind was the revolutionary thought required to build a socialist regime based on the development and progress of existing society.

Engels criticized a law against the importation of corn; also, Marx, in *Das Kapital*, criticized protectionist trade. However, their judgments have lost their significance in the current context of global capitalism. For not only in the southern countries worried about poverty, but also in the industrialized northern countries, we find many victims of the liberalization of the food trade and food shortages attendant upon it.

In the revolution strategy of Marx and Engels, or that of Lenin, not only modern industrial capitalism, but also the modern development of society through colonization (the civilizing effect of capital), and the accumulation of poverty attendant upon it, were regarded as causes to which would ferment the workers' revolutionary mindsets. Thus, even the harsh and chronic food shortages were seen as an instrument for revolution. This kind of the revolution strategy was, in a word, a strategy based on poverty. Linguet also feared the possibility of a rebellion against the property-owning class as a result of poverty.

Certainly, as Linguet predicted, modern refinement has inevitably produced an accumulation of poverty. As civilization progresses, three-quarters of the Japanese have been in danger of, or have in fact fallen into poverty. Among young people under twenty-four years old who graduate from school and university, around ten percent of them cannot find a job, and about twenty percent of them barely manage to make a daily living by part-time jobs—the modern equivalent of the '*journalier*'—and other unstable jobs. The unemployment rate of these people is about eight percent, which is nearly twice the figure among the population as a whole. 1.7 million workers from fifteen to thirty-four years old want to leave their state like that of the '*manouvrier*' (day labourer), which Linguet sympathized with, and find per-

manent employment. There has been a general increase in poverty among the population. The number of workers who earn under two million yen per year has exceeded ten million. In a Linguetic calculation, a four-member household with under two million yen must cover its food expenses on two thousand yen per person per day. This is an extremely low figure for a civilized nation such as Japan. Furthermore, due to illness and handicap, those who are incapable of working are forced to rely on welfare protection. The number of people defined as living in extreme poverty has reached over 2.1 million; this is a disturbingly high figure. However, nothing that can be described as a revolution has yet happened, in spite of disturbing evidence of suffering. On the contrary, the left-wing has been in steady decline for several decades. It would seem that the suffering of the people, extreme poverty, and death from starvation have no force to initiate anything resembling a revolution. Theoretical research to explain this phenomenon has not yet been conducted at all in Japan. People do not grasp the significance of Linguet's warning that without subverting society, slavery could not be eliminated.

To depart from a revolutionary strategy of poverty, Prof. Nozawa's translation of Lichtenberger's *Le Socialisme au XVIII<sup>e</sup> siècle* in 1981 has had a great significance. This translation has contributed to the emergence of a new assessment of the importance of Linguet. Inspired by this translation, I have collected various writings of Linguet over ten years, and wrote an essay for the journal *Sisou*<sup>59</sup>. Also, in 2012, I published a book which included essays relating to Linguet<sup>60</sup>. As a fruit of these efforts, I have now just published a translation of Linguet's main work *La Théorie des lois civiles* into Japanese.

As I write, the recent Diet election has resulted in some kind of right-wing *coup d'État*. The neo-liberalist factions in support of Trans-Pacific Partnership, which must inevitably lead to food shortages, the decline of social security, the general decrease of national welfare projects, and of the thorough promotion of privatization have commanded an absolute majority of the House of Representatives.

It is clear that there has been no period when Linguet's social thought has emerged upon history's central stage so appropriately as it has at the present time.

Studying Linguet leads one to challenge the assumption that society progresses and to understand that what is happening is in fact something more like a process of regression. One could also learn from the Confucianism which characterized the period before the Japanese industrialization, that is, the Edo period. Also, one could learn the wisdom of Edo bakufu (feudal government) which divided Japan into over three hundred han (feudal domain), each of which was forced to seek self-support; namely, before the liberation of many anxious wage slaves, the Japanese natural environment must be liberated from its state in servitude to capital. One may proceed to the sustainable economy of resources. Therefore, a revolution in the contemporary Japan, must be achieved on grounds, not of the poverty of people, but of the direction for people to win their happiness *hic et nunc*, following the example of the spirit, *hic Rhodus, hic salta*. I think that that is the message of Linguet to Japan.

#### Annotation (Linguet *Redivivus* in Contemporary World)

- 1) In laying a forgotten thinker, Linguet, on the table for theoretical consideration, I have been inspired by Darline Gay Levy's book, *The Ideas and Careers of Simon-Nicolas-Henri Linguet, A Study in Eighteenth-Century French Politics*, Urbana, University of Illinois Press, 1980. In addition I am indebted to the work of Steven L. Kaplan of Cornell University, whose work has focused on the relationship between bread and human beings. Their pioneering work has been invaluable.
- 2) Simon-Nicolas-Henri Linguet, *La Théorie des loix civiles, ou principes fondamentaux de la société*, 2 vols. Londres, 1767 (translated into Japanese by Shinsaku Otsu, "Shimin hō riron", Kyoto, Kyoto University Press, 2013). The citations are given as they appear in Linguet's original text.
- 3) Linguet, op. cit., t. II, pp. 483-5.
- 4) Ibid., t. II, pp. 435-6.
- 5) André Lichtenberger, *Le Socialisme au XVIII<sup>e</sup> siècle*, Paris, Alcan, 1895 (translated into Japanese by Kyō Nozawa, "Jūhachi seiki shakaishugi", Tokyo, Hōsei University Press, 1981).
- 6) *Du pain et du bled*, Londres, 1774.
- 7) Linguet, *La Théorie des loix civiles*, t. II, pp. 244-5.
- 8) We are reminded of the devastation caused by the explosion of the nuclear plant at Fukushima on 11th March, 2011.
- 9) Justus Möser, a thinker whom Karl Marx regarded as an 'intellectual precursor' of the German Historical

School of Law, also a politician, in his *Patriotische Phantasien*, volume 2, 2, Osnabrück, 1772, identified Linguet's *La Théorie des loix civiles*, as the work of an important opponent to Montesquieu. Möser criticized Linguet's insistence on the simplicity of law, and lent support to Montesquieu's position. Nevertheless, it must be pointed out that Linguet's theory on slavery is oddly similar to the advocacy of slavery by Gustav Hugo, a founder of the School.

- 10) Linguet, *La Théorie des loix civiles*, t. II, pp. 487-508. Cf. Ch.-L. Montesquieu, *L'Esprit des lois*, 1748, liv. XV, chap. III.
- 11) Linguet, *La Théorie des loix civiles*, t. I, p. 357.
- 12) Ibid., t. I, pp. 357-8.
- 13) Ibid., t. II, p. 173. Cf. Ch.-L. Montesquieu, *Considérations sur les causes de la grandeur des Romains et de leur décadence*, 1734, chap. X.
- 14) Linguet, *La Théorie des loix civiles*, t. I, p. 357.
- 15) Ibid., t. II, pp. 257-8.
- 16) Ibid., t. I, p. 170.
- 17) Ibid., t. I, p. 171.
- 18) Ibid., t. I, p. 176.
- 19) Ibid., t. II, pp. 60-1. Italics mine.
- 20) Ibid., t. I, p. 267.
- 21) Th. Hobbes, *Leviathan*, ed. by C. B. Macpherson, Harmondsworth, Penguin Books, 1968 (1651), p. 184.
- 22) Linguet, *La Théorie des loix civiles*, t. I, p. 266.
- 23) Ibid., t. I, p. 267.
- 24) Ibid., t. I, pp. 268.
- 25) Ibid., t. I, pp. 268-9.
- 26) Ibid., t. I, p. 269.
- 27) Ibid., t. I, p. 326.
- 28) Ibid.
- 29) Ibid., t. I, p. 272.
- 30) Ibid., t. I, pp. 273-4.
- 31) Ibid., t. II, p. 448.
- 32) Ibid., t. I, p. 199.
- 33) Ibid., t. II, pp. 511-13. Italics mine.
- 34) Ibid., t. II, p. 61. This is the very Keynesian economic policy dating from the eighteenth century advocating perfect employment that could be accomplished as a result of the prodigality (luxury).
- 35) Ibid., t. II, p. 520.
- 36) Ibid., t. I, p. 262.
- 37) Ibid., t. II, p. 464.
- 38) Ibid., t. II, p. 465.
- 39) Ibid., t. II, pp. 465-6.
- 40) Ibid., t. II, p. 468.
- 41) Ibid., t. II, p. 467. Italics mine.
- 42) Ibid., t. II, p. 483.
- 43) Karl Marx, Frederick Engels, *Collected Works*, Volume 35, New York, International Publishers, 1996, pp. 625-6.
- 44) Ibid., p. 751.
- 45) This book, with a modified title ("*Du commerce des*

- grains. Nouvelle édition*”, Bruxelles, 1789) and in shortened form, appeared just before the French Revolution.
- 46) Linguet, *Du pain et du bled*, Bruxelles, p. 54. Italics mine.
- 47) Linguet, *La Théorie des loix civiles*, t. II, pp. 435-6.
- 48) Linguet says that he knows Artois province very well: “Je ne citerai que l’Artois, province que je connois très-bien...”, *Du pain et du bled*, p. 117.
- 49) *Ibid.*, p. 93. Italics mine.
- 50) *Ibid.*, pp. 66-7. Italics mine.
- 51) *Ibid.*, pp. 69-70.
- 52) Accusation, Archives Nationales de France, W 397, Dossier 921, 4e partie. Italics mine.
- 53) *Ibid.*
- 54) Lichtenberger, *op. cit.*, p. 305.
- 55) Kazuo Anzai, “Basuchiyu kaisō”, Gendai Sichō Sya, Tokyo, 1967 [in Japanese]. Anzai wrote an article about the first introduction of Linguet into Japan, published in 1966 at the Waseda University Bulletin.
- 56) Harold Joseph Laski, *The Rise of European Liberalism: An Essay in Interpretation*, Liverpool & others, 1936 (translated into Japanese by Ryōhei Ishigami, “Jiyūsyugi no hattatu” Tokyo, Misuzu Syobō, 1951.)
- 57) Joseph. A. Schumpeter, *A History of Economic Analysis*, New York, 1954 (translated into Japanese by Seiichi Higashihata, “Keizai bunseki no rekisi”, Tokyo, Iwanami Syoten, 1955.)
- 58) Kiyoji Kizaki, “Linguet’s Critic on the Civilized State”, *Kokkaron kenkyū* (Study of the State Theory), No. 9, July, 1976 [in Japanese].
- 59) Shinsaku Otsu, “Linguet’s Concept on the Origin of the Social State: Reading *La Théorie des loix civiles*”, *Sisou* (The Thought), Aug.-Sep., 1992 [in Japanese]. Levy knew of this article through searching Linguet’s through bibliographies on the Internet. When she visited Japan in 1997, she met Prof. Nozawa, and, through him, found my address, so she requested me to send a summary of this essay. I sent this to Prof. Kaplan at his Paris address, and, he kindly forwarded it to her. She presented it in *Bulletin Linguet*, which she published at Reims, Linguet’s birthplace.
- 60) Shinsaku Otsu, “Sikō no jiyū towa nanika” (What do we mean by ‘Free Thinking?’), Kyoto, Kōyō Shobō, 2012 [in Japanese].