



An Analysis Of The Concept Of Law And Its Importance In Society And Education Of Jean-Jacques Rousseau

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<p>CC License CC-BY-NC-SA 4.0</p>	<p style="text-align: center;">Abstract</p> <p>In today's world, there is a legal system. Laws should be for the growth of a community in all aspects, such as providing the safety and protection of the people, but there was also a period when there were no laws. In his work titled "The State of Nature," Jean-Jacques Rousseau provided an analysis of the nature of the people who lived during that period and were solely concerned with their self-centered objectives. The person is inspired to live by the realization of the essence of the natural law, which is that there is a natural law. Rousseau believes that laws should take precedence over the will of the people and that all laws should apply to every single person. Those who are responsible for enforcing and deciding the laws may not assert that they are their own. It is the purpose of this article to investigate the changes that these kinds of legislation have brought about in society, notably in the field of education. Additionally, the purpose of this study is to focus more on educational approaches by referring to how education, according to Rousseau's perspective, interprets such rules.</p> <p>Keywords- <i>Natural Law, General Will, Civil Law, Political Law, Education</i></p>
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INTRODUCTION

As soon as we are born on this planet, our lives are governed by the laws and customs of society. The law is an essential component of the existence of society, and it plays a significant part in assuring the safety and protection of every individual. In the same way that the fundamental elements are connected to the existence of life, the law is also an essential component. When it comes to the impact that laws have on the lives of individuals and society as a whole, no nation exists today that does not have laws. There are a lot of law-related careers and courses accessible all over the place today. As a result of the fact that current laws are used to decide remedies for any injustice, the significance of laws continues to be a constant across all periods.

The state of society in the age without laws, the problems and miseries that came and passed, and the standards of behavior of individuals were presented in such a way that they could never be accepted. This was the case in The State of Nature, which was written by thinkers such as Hobbes, Locke, and Rousseau. At that time, the people were hostile toward one another and believed that the only thing that should be pursued was their self-centered interests. The laws even represented the end of a period that was considered to be extremely horrible.

People are a good component of the laws that they have. Every industry has its own set of laws, and each of these laws emanates from its unique origins. Constitutional law, statutory law, common or case law, civil law, criminal law, equity law, and administrative law are among the most important different types of laws that exist in today's society. Other forms of law include administration law and equity law.

In contrast to all of these, Rousseau discusses laws in the sense that, according to him, laws consistently need to be general. When a government creates regulations for itself, it is not only for the people but also for the government itself. It is because of the disparities between persons and their points of view that any relationship that does develop anywhere is a result of those differences. Given that Rousseau considers rules to be a general idea, the issue of forming a rule is likewise seen to be generic in this context.

ROUSSEAU NOTION OF LAW

"But when the people as a whole makes rules for the people as a whole, it is dealing only with itself; and if any relationship emerges, it is between the entire body seen from one perspective and the same entire body seen from another, without any division whatever. Here the matter concerning which a rule is made is as general as the will which makes it. And this is the kind of act which I call a law," (Rousseau, 41)

Rousseau posits the existence of a natural law that must possess the qualities of universality, applying to all individuals and activities, and generality, not being restricted to certain groups or individuals. Furthermore, Rousseau emphasizes the necessity for this law to be universally adhered to by all individuals without exception. The legislation need to be grounded upon the collective volition of the populace. Legislation should be enacted to foster unity among individuals and nations. States that are governed by laws are commonly referred to as "republics." These states can be referred to as "Republics" since they uphold the principles of individual rights and popular sovereignty.

He further says,

"any state which is ruled by law I call a 'republic', whatever the form of its constitution; for then, and then alone does the public interest govern and then alone is the 'public thing'-the res publica-a reality. All legitimate government is 'republican'." (Rousseau, 42)

In Rousseau's view, legislators and those who establish laws are accorded the same standing as laws themselves. Legislators and all laws should be applicable without favoring or opposing a single republic that should create laws; he should not have the authority to make laws under all circumstances. Even though the people themselves desire it, they are unable to remove this irrevocable right on their own. This is because each law is not crafted solely for a single individual or family; rather, they are all crafted to bring together all of the people. Consequently, if the legislation is crafted solely by the desires of a single individual, then it cannot be perceived as representing the will of the entire population.

He further says,

"thus the man who frames the laws has not nor ought to have any legislative right, and the people itself cannot, even should it wish, strip itself of this untransferable right; for, according to the fundamental compact, it is only the general will which binds individuals and there can be no assurance that an individual will is in conformity with the general will until it has submitted to the free suffrage of the people" (Rousseau, 46)

LEGAL SYSTEMS AND CATEGORIZATION OF LAW

To guarantee that any laws that are enacted are for the advantage of all individuals, freedom and equality are necessary. Additionally, it is necessary to guarantee that the security and protection of any law are equally distributed in both directions. There is a connection between natural relations and laws that is established everywhere; laws are the assurance and maintenance of the liberty of men, as well as the protection of everything that we have naturally received.

Rousseau identifies four distinct kinds of relationships that can be established by laws. The classification of all four takes into account the interaction that exists between laws, individuals, and society. For a law to be enforced, it must first guarantee the protection of the people. The first of them is a reference to the relationships that exist between all of the persons that make up the body politic, including the state of the ruler. The interactions serve as the basis for the construction of relationships between intermediary institutions by

providing the foundation. It is generally accepted that laws enacted in this manner are either political laws or fundamental laws. Some regulations are completely illogical.

Rousseau says,

“first there is the action of the whole body politic on itself, that is to say, the relation of all relation, as we shall see, is made up of relations between intermediary bodies”(Rousseau, 61)

The second relationship is the one that may be described as the connection that exists between the political members and the political body to which each of them belongs. Rousseau thinks that the relationships between citizens in this area ought to be restricted and that every citizen ought to be independent of the other citizens while still being dependent on the republic. As a result of this reliance on the republic to guarantee the freedom of its citizens, civil law is believed to have been established, as stated by Rousseau.

Disobedience, the imposition of punishment, and the development of a criminal law are the three aspects that constitute the third interaction between laws and people.

In addition to all of these, there is a fourth relationship that is the most significant. This relationship is distinct from the others in that it encompasses all of the morals, practices, and beliefs that have been in existence up until this point. Rousseau thinks that political law is the law that is required for a government to exist, even though all of these also exist.

CONCLUSION

Rousseau is quoted as saying that laws ought to be formulated based on a universal will, in addition to a great number of other laws that are in existence and Natural Law, which is distinct from it. Rousseau believes that it ought to be given more priority because, when a man is born, all that he requires is available on this globe; yet, his interventions deny him the rights that he sought from nature. According to Rousseau, those who act as legislators or those who give laws ought to be those who do not have a say in the statutes that they pass. The four different types of interactions that are included in the building of the law, as well as the degree to which the genesis of civil law, natural law, and political law all play a role in the law, are given greater weight than the laws themselves, even though laws may be implemented to safeguard and protect the people. In addition, Rousseau referred to the state as a republic, which ensures that excellent laws are enacted.

In Rousseau's opinion, education is the process of gaining an awareness of all the laws that are currently in place and transitioning us away from those laws and toward the idea of "returning to nature." Because of this, his approach to education is distinct from that of others, and as a result, it places more of an emphasis on nature adhering to natural law as opposed to civil society having to adhere to civil law.

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