

# The social contract and music education: The emergence of political authority

O Contrato Social e a Educação Musical: A Emergência da Autoridade Política

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## abstract

Social contract theory has been used to explain the origin, emergence and justification of governing authorities and as a way of “understanding the political relationships in which people already find themselves, including their obligation to obey the sovereign” (Newey, 2008, p. 133). It has also been used as a “nonliteral image [that is] useful in suggesting directions for social change” (Keeley, 1985, p. 241). Through the lens of social contract theory this article uncovers a series of questions that speak directly to music education in both the U.S. and Brazil. What is the nature of the relationship music educators have to authority? Is there a state of nature from which music education arose and could return? What, if any, guiding morals exist in this state of nature and how have those perpetuated and reproduced policy and advocacy? What kind of contract has been made and should it be kept?

**KEYWORDS:** political theory, state of nature, authority

## resumo

A teoria do contrato social tem encontrado uso quando se tenta explicar a origem, emergência e justificativa da autoridade governamental, bem como uma maneira de “entender as relações políticas dentro das quais pessoas já se encontram, incluindo suas obrigações de obedecer a uma soberania [ou soberano]” (Newey, 2008, p. 133). Ela também tem sido usada como uma “imagem não linear que pode ser útil em sugerir direções para mudanças sociais” (Keeley, 1985, p. 241). Através da lente da teoria do contrato social este artigo apresenta uma série de questões que falam diretamente à educação musical nos Estados Unidos e no Brasil. Qual é a relação que educadores musicais têm com autoridade? Pode-se afirmar a existência de um “estado natural” a partir do qual educação musical nasce e ao qual ela retorna? Qual, se existente, é a moralidade principal que guia este “estado natural” e de que maneira influencia e reproduz políticas e advocacia? Que contratos temos feito como profissão e quais devem ser mantidos?

**PALAVRAS-CHAVE:** teoria política, estado natural, autoridade

Whatsoever therefore is consequent to a time of war, where every man is enemy to every man; the same is consequent to the time, wherein men live without other security, than what their own strength, and their own invention shall furnish them with all. In such condition, there is no place for industry; because the fruit thereof is uncertain: and consequently no culture of the earth; no instruments of moving, and removing such things as require much force; no knowledge of the face of the earth; no account of time; no arts; no letters; no society; and which is worst of all, continual fear, and danger of violent death; and the life of man, solitary, poor, nasty, brutish, and short. (Hobbes, *Leviathan*, 1651, Chapt. XIII, p. 183).<sup>1</sup>

We do well to be afraid of Hobbes; he knows too much about us. (Macpherson, 1945, p. 525)

Those are powerful words. Filled with apprehension and fear Hobbes warns us about the “other” as much as he warns us about ourselves. Yet, written over 350 years ago what meaning can music educators find within them? How can a theory or a device that was introduced (or at the very least articulated in print) 2400 years ago with Socrates and *Crito*, shed light on music education? What do issues such as mutually governed social and communal possibilities, vain self-esteem, mutual scorn, pride, competition and the condition of danger and continual fear have to do with music education? Unfortunately, a lot more than we wish they did.

First and foremost, social contract theory has been used to explain the origin and emergence of government (including associations, communities, societies, etc.) and the “derivation of [their] legitimacy” (Riley, 1973, p. 544). It has also been used as a “device which aims to identify the conditions in which a political authority would be justified” (Newey, 2008, p. 146) and as a way of “understanding the political relationships in which people already find themselves, including their obligation to obey the sovereign” (Newey, 2008, p. 133). Farrelly (2006, para. 5) also suggests that the purpose of political theory is to “diagnose practical predicaments and to show us how best to confront them”. In the case of music education, I see two very practical predicaments we continually confront. One is that of perceived epistemological inequalities with other ways of knowing in such disciplines as mathematics, the sciences and technology and language arts. The other is the relationship music educators have with music and arts governing authorities such as National Association of Music Education (NAfME)<sup>2</sup> in the U.S., Associação Brasileira de Educação Musical (ABEM) in Brazil, the political structures that dictate National Curriculum in the UK, and other governing authorities as they are made manifest in national, state and local authorities throughout the world.

As a hypothetical abstract account, historical account, or both, the social contract remains a powerful device that we can use to diagnose and examine larger issues that often remain hidden. It also provides a way to think through how deeply contractual engagements reflect (and reproduce) capitalistic 21st century and the effect this has had on associations, societies, communities and organizations that are not based on contractual engagements, and how, through this lens, these organizations are no longer (and for the most part can no longer be) recognized as “legitimate” (Gauthier, 1977).

1. A note as to how I am referencing many of the texts used in this article. I am including the editions I use in the references – many of which can be found online – but when referencing passages of classic texts in the body of the article I am using the designation of part, chapter and paragraph number.

2. NAfME was, until September 1, 2011, known as Music Educators National Conference, or MENC. However, most all of the references in this article occur previous to this name change, thus the usage of MENC throughout the article.

Social contract theory enables us to consider those ways political authority has been justified by music educators and our “disposition towards obedience and subordination” toward that authority (Wolin, 2004, p. 261). As such, in this article I address the conditions that exist (or existed) that justified (or might justify) the emergence of a governing authority and the imagined state of nature to which we would return without the protection of authority or sovereign. I also consider those ways the use of a social contract in music education has become justification and proof of our existence and consequently an obligation. In other words, I take into account social contract engagements to which we purposefully courted (as in the case of Brazil) and those we neither consented either in word or deed but whose existence has conditioned us to behave as if there is a contract. Moreover, this is a contract, I submit, that is not with a democratic citizenry, in which music education might play an integral part, but rather a governing authority whose interest lay in maintaining a status quo that is based on the protection of private property rather than communication and a commitment to broader cultural and community practices.

The following scenario serves to call our attention to the fine line between peaceful, pleasant, just and fair behavior, and those of desperation, conflict and combative engagements. It may not be the reality of every reader, but the story I am about to tell serves, in the grand tradition of political theorizing, as “fancy, exaggeration, even extravagance, [that may] permit us to see things that are not otherwise apparent” (Wolin, 2004, p. 18).

Imagine if you will, that we live in a time in which scarcity of resources elicits behaviors of competition. For many, it is not difficult to envision situations in which time for music in the school and curricular schedule seems always in flux or in question. Nor is it difficult to imagine that many of us are being held accountable to local, national and (especially) international mandates that call for the curriculum to include more technology, science and mathematics. Imagine also directives that are calling for the inclusion of music but with standards and assessment so tightly controlled that pedagogy is essentially dictated by an outside authority. The fear of budget constraints and shifting epistemological whims portends the continual demise of our livelihood. Even the simple valuing of our work is rare, and often in our minds, insufficient. We are in a continual state of protecting that which we have, and competing for what we believe we are due. Returning to a pre-institutional time that preceded what we do have is so far beyond contemplation that we would do almost anything to maintain the status quo. It is this pre-institutionalized authority, or the State of Nature, however, on which I now focus in order to consider issues of private property and the historical conditions for competition, shame, envy, moral vigor and the emergence of authority.

Rousseau and Hobbes conceived the pre-authority/sovereign state as both abstract, hypothetical, conjecture and historical. And whether it has been referred to as “original position, by Rawls, or the initial bargaining position by Gauthier” (Cudd, 2008), as a thought experiment, or as an indictment of the historical claim for the “legitimacy of men’s power over women” (Pateman; Puwar, 2002, p. 123), this initial situation (and the situation to which we could return), is integral to the social contract and the emergence and justification of authority. In this paper I focus primarily on the work of Hobbes, Locke and Rousseau, each of whom, in order to further multiple and sometimes disparate goals and ends, differ in their conception and use of social contract and, consequently, in their conception and use of the State of Nature.

The state of nature is most often described as either foreboding, antagonistic and aggressive, or welcoming and relatively communal. The above scenario I painted, in which there is a lack of resources and scarcity of time, exemplifies the state of nature that Hobbes articulated in his work.

## state of nature

It is Locke to whom we turn first, however, for his belief that the foundation and need for authority should be based on the protection of property. Locke argued that men,<sup>3</sup> as they lived together as equals, would want to join together willingly and “unite into a community for their comfortable, safe, and peaceable living one amongst another, in a secure enjoyment of their properties” (Chapt. VIII, 95).<sup>4</sup> In this scenario, all men would be obligated to the majority and in doing so, would give up certain rights held in the state of nature “for the mutual preservation of their lives, liberties and estates, which I call by the general name, property” (Chapt. IX, 123). As Locke’s ultimate goal was the preservation of property the establishment of laws and consent to the establishment of authority made perfect sense, because as Locke pointed out, “no rational creature can be supposed to change his condition with an intention to be worse” (131). Locke helps us to see how giving up certain rights would benefit those who stand to gain; “rational” creatures, after all, include those who already have private property. As such, he also helps us to see that while the protection and maintenance of private property safeguards those who already have, it also keeps out those that do not.

Hobbes, as we read in the opening quote from *Leviathan*, believed that the state of nature was dire precisely because men were equal “in the faculties of body, and mind” (Chapt. XIII, p. 183).<sup>5</sup> As such, it was “reasonable... by force, or wiles, to master the persons of all men... till he see no other power great enough to endanger him” (p. 184). In Hobbes’ state of nature equality begat envy, competition, and without a common power to “over-awe” (p. 185) there was to be found little reason in enjoying or socializing in the company of others, only grief, a constant state of war and “every man, against every man” (p. 186).

Rousseau (1754) provides a differing view of the state of nature that speaks of caring for rather than war or preemptive aggression. However, even in a welcoming state of nature men behave in ways that lead to inequality and unhappiness. Rousseau believed civil society provided too much leisure time and because of this men “acquired imperceptibly the ideas of beauty and merit, which soon gave rise to feelings of preference” (Second Part). This, according to Rousseau, led not only to more wants, but also to the weakening of moral vigor.

Each one began to consider the rest, and to wish to be considered in turn; and thus a value came to be attached to public esteem. Whoever sang or danced best, whoever was the handsomest, the strongest, the most dexterous, or the most eloquent, came to be of most consideration; and this was the first step towards inequality, and at the same time towards vice. From these first distinctions arose on the one side vanity and contempt and on the other shame and envy: and the fermentation caused by these new leavens ended by producing combinations fatal to innocence and happiness. (Rousseau, 1754, Second Part).

What then the connection between private property, civil society and leisure time and music education? Hobbes’ version of the state of nature, one in which justice is considered to be preemptive aggression in order to protect one’s goal, helps us to consider the pre-institutionalized setting as one in which no one is secure in the pursuit of music education as a curricular goal. Locke provides a way to think through the emergence of authority and the protection of private property

3. The constraints and the focus of this article do not allow me to speak to the many feminist critiques of social contract theory. While I use the word men throughout the article I do so in the context of Hobbes, Locke, and Rousseau. For feminist critiques see (among many others) Pateman (1988), Hampton (1984), Hirschmann & McClure (2007), Rawls (1971), Mill (1859), and even Locke (1980).

4. See Locke (1980).

5. See Hobbes (1985).

as a justification for and the protection of the cultural artifact of Western Classical music and its traditional pedagogical practices. To further the protection of the goal preemptive aggression could be read then as the need to dismiss, be disdainful of and deliberately misrecognize all musics and musicing practices that are not Western Classical. Or in other words, to incorporate a (perhaps not so) “fancy, exaggeration, even extravagance, [that may] permit us to see things that are not otherwise apparent” (Wolin, 2004, p. 18) we might imagine the following scenario:

In order for music to have a permanent place in public education music educators transfer their right to an authoritarian body. In doing so, music educators become obligated to this governing authority and give up the right to challenge, prevent or resist decisions that are made to protect and further the goals of the governing authority. These goals are simple and relentlessly focused: music in schools should be Western Classical music and in order to further this goal music programs should consist primarily of large ensembles.

This scenario is perhaps not so fanciful if we use Rousseau to substantiate the historical conditions and the advent and arrival of music from Europe, or the “serious, animated, and devout music” (Mark; Gary, 2007, p. 90) that served (and in many cases serves) to dismantle (and keep out of public schools) “non-traditional” musicing practices. And while the following historical conditions I note are particular to the U.S., Brazil is now poised in a similar place with similar concerns. As such the cautionary tale of post Revolutionary War America, while particular to the U.S., “may permit us to see things that are not otherwise apparent” (Wolin, 2004, p. 18).

Prior to the Revolutionary War, formalized singing resided primarily in singing schools that existed to “promote the singing of psalms” (as cited in Mark; Gary, 2007, p. 70). However, after the American Revolutionary war in the mid 1800’s, there was a wide spread belief that “Yankee singing schools” had become the “cause of the low estate of scientific music” (Mark; Gary, 2007, p. 90). Clearly, if there were ever a call for moral vigor, this was one that not only needed to be supervised but to be maintained. What began in the U.S. as a healthy existence of singing schools and informal musicing outside the formal process of schooling, morphed into a powerful movement to bring music into the public schools. As such, due to (among other issues) the Common School movement, the preservation of democracy and a call for the “education for all people” (Mark; Gary, 2007, p. 108), leaders in the singing schools and music societies came together in 1837 and formed a committee to recommend public school music based on “three utilitarian reasons – intellectual, moral, and physical development” (Mark; Gary, 2007, p. 142). Note the following from their rationale as the grounds of music as a moral endeavor:

There is, – who has not felt it, – a mysterious connection, ordained undoubtedly for wise purposes, between certain sounds and the moral sentiments of man. ... if there be this necessary concordance between certain sounds and certain trains of moral feeling... why should they not, under proper management, be rendered equally efficient in the moral government of the school? (Mark; Gary, 2007, p. 142).

Consequently, this 1837 document and others like it, essentially created the first contract with the public proffering qualities that have governed our policies and behaviors till this day: utilitarian and moral.

Out of this 1837 movement eventually grew the Music Supervisors National Conference which eventually morphed into MENC. Shieh (2009) has pointed out that at the beginning of this governing authority there was a remarkable level of give and take between the governing board and the members of the organization (music educators). Because the purpose at that time was “a broadening of music curriculum”, MENC “functioned much like a kind of professional learning community, through which music educators were able to come together for peer-to-peer

interaction and dialogue” (Shieh, 2009, p. 5, 6). Shieh (2009, p. 7) believes that throughout the period previous to the late 1990’s National Standards movement the agenda of MENC was “to break down the isolation separating music teachers and supervisors from each other, and bring them into interaction that might challenge the constraints of a narrow music culture”. While Shieh (2009, p. 4) speaks of MENC’s failure (among other issues) to build capacity, I suggest that as the cultural climate changed and moved even further into a market based economy, the agenda of MENC continued to be shaped by the cultural capital of Western Classical music and became beholden to perpetuating the dictates and advocacy needs of the National Standards and the accountability movement. Consequently, communication and curricular expansion, goals that had once been at the heart of the emergence of the need for authority, gave way to an agenda that, in Shieh’s (2009, p. 10) words “implicitly divided the organization into leadership and membership”.

## state of war

Recall from the opening quote that Hobbes believed that in a state of war “there is no place for industry; because the fruit thereof is uncertain”. When there is no security one cannot be industrious. However, a relationship with a sovereign that has more of an interest in the maintenance of private property curtails and makes challenging acts of industry that may move us beyond moral and utilitarian purposes. Clearly, when one finds one’s life in constant peril it is best to stick with curricular and pedagogical models that “work”; models that are measurable and dependable. And yet, many of these models facilitate and maintain a state of nature that furthers competition, greed, distrust, and vainglory.

Gauthier (1977) speaks of the political order and how other motivations have come to be used to maintain (even coerce) order and consent. He points to “patriotism—the love of country which binds men to the coercive order because it is surrounded with the emotional trappings of fatherland motherland” (Gauthier, 1977, p. 160) as the current and prolific motivation for peace in the U.S. In a society where news reports consist of black and white statements meant to elicit reactions of either/or, where it’s assumed that society will respond only to radical slogans and false syllogisms, a state of nature “where every man is enemy to every man,” Hobbes’ state of nature is more than alive and well. Indeed, Giroux (2009, p. 1) has recently labeled this a “culture of cruelty” in which a “seeping, sometimes galloping, authoritarianism [has begun] to reach into every vestige of the culture”.

Critchley (1999, p. 127) traces this patriotism/nationalism back to the nineteenth century and views it as a “civic religion that ensured social cohesion and patterns of national identification for the newly hegemonic middle classes, providing a model which could then be extended to the working classes, as and when they were allowed to enter the political process”.<sup>6</sup> This is a model that has “served” music education well; as the working class margin of general education we are forever hopeful that we might enter the political process of inclusion. So much so that in the U.S. we seem to have created and lived by our own socially cohesive (false) syllogism:

6. For an in-depth look at how musical experiences and repertoire as curriculum can create fascistic responses see D. Bradley (2009).

- a. All advocacy leading toward inclusion is good.
- b. Some musical engagements (or ways of thinking about the purpose of music) don't lend themselves toward inclusion.
- c. Engagements that don't further or maintain the status quo are bad.

Whatever "function we promise" or continue to promise, as Regelski (2009, personal communication, August 29) points out, "there can be no 'contract' with students or the public since supposed benefits cannot be verified and all teaching is 'good' or 'good enough'". Judgments about the quality of music education, or the value of an education in music, as determined by transcendent goods or utilitarian ends, has troubled and beleaguered institutional goals, teacher preparation programs, pedagogical and curricular choices, our very identity. So much so that I contend we have long ago become "[disposed] towards obedience and subordination (Wolin, 2004, p. 261) and blind to any authority other than inclusion in the daily schedule.

When one comes to the point where struggles with identity and purpose become so overwhelming, absolutism through a sovereign starts to look pretty comfortable. Recall Hobbes' three conditions that make for "quarrel," competition, diffidence (distrust) and glory.

The first, maketh men invade for gain; the second, for safety; and the third, for Reputations. The first use violence, to make themselves master of other mens person... the second, to defend them; the third, for trifles, as a word, a smile, a different opinion, and any other sign of undervalue, either direct in their persons, or by reflection in their kindred, their friends their nation, their profession, or their name. (Chapt. XIII, p. 185).

Surely we are able to recognize these qualities and behaviors in ourselves and acknowledge why we are intent on cultivating, and perhaps forever returning to, a "simpler and more reassuring map of power" (Butler, 1997, p. 78). Hobbes based his conception of the state of nature on the behaviors of his fellow men. Hardly an abstract conception, the social contract permeates every aspect and every engagement in ways that make us always already part of a community that contracts. Where we once considered contractual engagements as the cause of our behaviors, Gauthier (1977) suggests that these relationships are now the rationale *for* our behaviors, including those between ourselves, and those between communities and organizations. Consequently, the justification for allegiance to the sovereign has now shifted toward determining the measure of rationality based on contractual relationships. Gauthier warns us to show greater concern toward these contractual engagements or we will end up abandoning, disregarding, or worse appropriating those ways of engaging that are not contractually bound. For instance, musicing practices that are outside of the given norms and moral grounding of large ensembles, musicing and pedagogy that doesn't lead toward "reading and writing" music, music appreciation and theory classes regulated by historical eras and 'legitimate' musics, can very well be seen as pre-social and thus, disobedient and wrong.

## lingering thoughts

In the U.S. generations of engagements and discourse that speak to myths, meritocracy, cause and effect, linear progression and the possibility of happy endings have supported and maintained a perceived need for a governing authority. Advocacy as persuasion, seen only as a way “to convince others that these doings warrant support and resources” (Bowman, 2009, p. 3), has become so deeply engrained as a unifying structure of who and how we are that it often determines the “institutionalized values” (Illich, 1972, p. 2) of the formal process of schooling and also maintains the need for a governing authority. It is not that music teachers in the U.S. cannot imagine, or cannot remember engaging in musicing that is pre-institutional, but rather that few in the U.S. school music setting are from pre-institutional, pre-capitalist settings when “economic interests were subordinate” (Macpherson, 1945, p. 527). For the most part in the U.S. most musical experiences for music teachers were constructed by participation in bands, orchestras and choirs that were shaped by the “dominance of competitive material appetites” (Macpherson, 1945, p. 527), a dominance that was alive and well for Hobbes, Locke, Rousseau and their fellow citizens even in what was then a market based (bourgeois) society. In Brazil, however, musicing in pre-institutional and pre-capitalist settings means something other than the organized pre-determined musicing shaped by Western classical music and practices. State mandates of public music education position music teachers in Brazil upon a precipice of justifying the authority of western practices or questioning, as Riley (1973, p. 544) wrote, the “derivation of [their] legitimacy”. Both situations differ and yet both present a state of nature to which neither group desires to return.

I am reminded that both Hobbes and Locke treated the state of nature as one that was both abstract and historical. A theoretical state of nature provided a way to conceptualize the emergence and justification for authority and yet these men could not separate out their daily and lived experiences from how they envisioned from whence we came and to where we might return. It really is not an either/or state of nature: simple, uncomplicated, peaceful, or solitary, poor, nasty, brutish, and short. It is some of these and all of these, always in flux and always in need of reflection and consideration. Unfortunately, what we can seem to count on is the continuance of draconian acts of legislation that perpetuate and reproduce transactional relations. To what end, then, and to whom are we obligated? Obligation and consent are tricky concepts; they are ones that speak to (among others) moral relations, reciprocity, language/actions, determinism, will, covenants and one’s conception of not only the state of nature, but of one’s self. Indeed, at this juncture in Brazil, conversations of obligation and consent suggest a commitment toward recognizing the challenge of situating music education in the formal structure of public schooling and honoring and upholding traditional musicing practices that are an essential part of Brazil’s multiple cultures.

Conversations such as these are overwhelming, but clearly they can and are happening. Unfortunately, it is often much easier to go with codifying music curricula and pedagogy in ways that provide navigable structure and measurable outcomes. And yet, what has “worked” should be considered an aggressive state of nature and even as an “initial bargaining position” to which a) we don’t want to return, and b) one that hasn’t really served as a bargaining position. It is not that we must dismantle governing authorities. Rather it is to remain dedicated to the emergence of authority as represented in the grass roots conversations that are happening in Brazil that speak to communication and curricular expansion, (Shieh, 2009) and a commitment to cultural and entrepreneurial practices.

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