

Rousseau

THE SOCIAL CONTRACT

Although Rousseau compares natural man in the "state of nature" with man as a citizen of a civil society, he admits that he cannot give a specific account of how the transition from the earlier condition to the later one occurred. The purpose of his book *The Social Contract* is therefore not to describe the change from man's natural state to his subsequent membership in a political society but rather to provide an answer to the question why it is that a person ought to obey the laws of government. Thus, Rousseau begins his book with the famous phrase that "Man is born free; and everywhere he is in chains." "How," he continues, "did this change come about? I do not know. What can make it legitimate? That question I think I can answer."

In the state of nature, man was happy, not because he was an angel but because he lived entirely for himself and therefore possessed an absolute independence. Rousseau rejected the doctrine of original sin and instead believed that the origin of evil is to be found in the later stages of man's development in society. In the state of nature, says Rousseau, man is motivated by "a natural sentiment [*amour de soi*] which inclines every animal to watch over his own

preservation, and which, directed in man by reason and pity, produces humanity and virtue." By contrast, as man develops social contacts, he also develops vices, for now he is motivated by "an artificial sentiment [*amour propre*] which is born in society and which leads every individual to make more of himself than every other," and "this inspires in men all the evils they perpetrate on each other . . ." including intense competition for the few places of honor, envy, malice, vanity, pride, and contempt. Ultimately, it was impossible to live alone, for in all probability, says Rousseau, it was the steady growth in numbers that first brought men together into society. How, then, were men to reconcile the independence into which they were born with the inevitability that they would have to live together? The problem, says Rousseau, is "to find a form of association which will defend and protect with the whole common force the person and goods of each associate, and in which each, while uniting himself with all, may still obey himself alone." The solution to this problem is "the total alienation of each associate, together with all his rights, to the whole community." While this solution appears on the surface to be a prescription for despotism, Rousseau was convinced that it was the road to freedom.

The idea of a "social contract" seems to imply that such a contract was entered into at some point in the historic past. Rousseau did not view the contract in historical terms since he admitted that there is no way to discover evidence for such an event. For him, the social contract is a living reality which will be found to be present wherever there is a legitimate government. This living contract is the fundamental principle underlying a political association; this principle helps to overcome the lawlessness of absolute license and assures liberty, because everyone willingly adjusts his conduct to harmonize with the legitimate freedom of others. What man loses by the social contract is his "natural liberty" and an unlimited right to everything; what he gains is "civil liberty" and a

property right in what he possesses. The essence of the social contract, says Rousseau, is that "each of us puts his person and all his power in common under the supreme direction of the general will, and, in our corporate capacity, we receive each member as an indivisible part of a whole." This contract tacitly assumes that whoever refuses to obey the *general will* shall be compelled to do so by the whole body; in short, "this means that he will be forced to be free."

What is the justification for saying that citizens can be "forced to be free"? The law is, after all, the product of the "general will." In turn, the general will is, says Rousseau, the will of the "sovereign." For Rousseau, the sovereign consists of the total number of citizens of a given society. The general will of the sovereign is therefore the single will which reflects the sum of the wills of all the individual citizens. The many wills of the citizens can be considered one general will because everyone who is a party to the social contract (as every citizen is) has agreed to direct his actions (to limit his actions) to achieving the common good. Each citizen by thinking of his own good realizes that he should refrain from any behavior that would cause others to turn upon and injure him. In this way, each citizen understands that his own good and his own freedom is connected with the common good. Ideally, therefore, each individual's will is identical with every other individual's since they are all directed to the same purpose, namely, the common good. Because in this ideal setting all the individual wills are identical or at least consistent, it can be said that there is only one will, the general will. For this reason it can also be said that if laws are the product of the sovereign general will, each individual is really the author of those laws and in this way each person obeys only himself. The element of force or compulsion enters Rousseau's formula only when someone refuses to obey a law.

Rousseau distinguishes between the "general will" and the "will of all," saying that "there is often a great deal of difference between the will of all and the general will." What differentiates these two forms of the collective wills is the purpose each attempts to achieve. If the "will of all" had the same purpose as the "general will," namely, the common good or justice, there would be no difference between them. But, says Rousseau, there is often a different purpose pursued by the "will of all," where "all" refers to the voters of a group, even if by chance they are in the majority. Such a deviant purpose reflects special or private interests as opposed to the common good. When this happens, society no longer has a general will; it now has as many wills as there are groups or "factions." If, therefore, the general will is to be able to express itself, there must not be factions or partial societies within the state. Rousseau was convinced that if the people were given adequate information and had the opportunity to deliberate, and even if the citizens had no communication with one another and simply thought their own thoughts, they would arrive at the general will. They would choose the path leading to the common good or justice. Only the common good would provide the setting for the greatest possible freedom for each citizen.

At this point there could be someone who chooses not to obey the law. If the law was made with the common good or justice in mind, as opposed to special interests, then the law truly expresses the general will. The person who votes against this law or chooses to disobey it is in error: "When therefore the

opinion that is contrary to my own prevails, this proves neither more nor less than that I was mistaken, and that what I thought to be the general will was not so." When a law is proposed, the citizens are not asked to approve or reject the proposal: they are asked to decide whether it is in conformity with the general will, that is, with the common good or justice. Only when the question is put this way can it be said that "the general will is found by counting the votes." Only under these circumstances is there any justification for forcing someone to obey the law. In effect he is then being forced to behave in accordance with a law he would have been willing to obey if he had accurately understood the requirements of the common good which alone provides him with the greatest amount of freedom. Only under these circumstances, says Rousseau, is it legitimate to say that "he will be forced to be free."

Rousseau was under no illusion that it would be easy to establish all the conditions for making just laws in the modern world. For one thing, much of his thought reflected the conditions in his small native Geneva where participation by the citizens could be more direct. In addition, his vision included certain assumptions that would require considerable human virtue. If everyone were

required to obey the laws, then everyone would be entitled to participate in deciding upon those laws. When making the laws, those persons involved in the decisions would have to overcome special interests or the concerns of factions and self-consciously think of the common good. Rousseau also believed that all the citizens should be equally involved in the making of the laws, that the laws should not be made even by representatives, for "the people cannot, even if it wishes, deprive itself of this incommunicable right. . . ." But as the modern state has continued to grow in size and complexity, a development that Rousseau had already seen happening in his own day, his assumptions and conditions for achieving the just society appeared to be more of an ideal than an immediate possibility.

Taken as a whole, Rousseau's writings represented an attack on the Age of Reason, gave impetus to the Romantic movement by emphasizing feeling (leading Goethe to say that "feeling is all"), revived religion even though he had doubts about some traditional teachings, provided a new direction for education (his book *Émile* was considered by some the best work on education since Plato's *Republic*), inspired the French Revolution, made a unique impact upon political philosophy, and, more than any of his contemporaries, he influenced several subsequent philosophers, especially Immanuel Kant. On one occasion Kant was so absorbed in reading Rousseau's *Émile* that he forgot to take his celebrated daily walk. While Kant admitted that it was David Hume who awakened him from his dogmatic slumbers regarding the theory of knowledge, it was Rousseau who showed him the way to a new theory of morality. So impressed was Kant by the insights of Rousseau that he hung a picture of him on the wall of his study, convinced that Rousseau was the Newton of the moral world.