

# Rousseau's general will as a tool of democracy

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## Abstract

Jean-Jacques Rousseau's idea of the general will, the governing force in his political system, has led some to label him as an authoritarian. Herein I will analyse his writings in *The Social Contract*, and argue against this conception of the text, instead showing that this work supports the characterisation of Rousseau as a democrat. I will do this by building on Sreenivasan's interpretation of the general will, which shows that Rousseau developed a system of deliberation to accord the common interest of the people with their democratic vote. I will argue that this deliberative mechanism, along with Rousseau's conflation of the general will with the people's vote supports the idea that Rousseau upheld a substantive form of democracy.

## Introduction

Jean-Jacques Rousseau is a polarising figure in political philosophy, not least because he has been widely depicted as both an authoritarian and a democrat. Rousseau's concept of the 'general will' prompts much of this discussion. This seemingly ambiguous concept is fundamental to his core argument that, outside of the state of nature, everybody should rule and be a subject at the same time. Rousseau says that the general will dictates the laws of a sovereign nation, but each individual obeys only themselves in following these laws. Here I will focus on the issue of how the general will is derived, a controversial topic which has sparked arguments for and against Rousseau's democratic credentials. I will argue that the idea of the general will better supports the view of Rousseau as a democrat, rather than an authoritarian, because he explicitly links the general will with the majority vote of the people, specifying constraints on voting and deliberation that aim to make the general will truly representative of the people's common interest.

I will draw almost all of the textual evidence for this paper from *The Social Contract*, as this text contains Rousseau's most complete and detailed account of the general will (Bertram 2017). Since the focus of the paper is on the interpretation of this key idea, it is reasonable to focus on the text that contains Rousseau's most thorough treatment of it; however, my conclusions are certainly open to criticism on a more complete analysis of Rousseau's work. I will first outline the argument characterising the general will as fundamentally authoritarian. This idea relies on what Bertram calls the 'transcendent conception', which 'conceives of the general will as a transcendent fact about the society which may or may not be reflected in actual legislative decisions' (Bertram 2012, 403). Since such a transcendent fact could not possibly be realised through democratic means, a system that follows this conception of the general will is vulnerable to capture by authoritarian leaders posturing as knowers of the general will. I will then argue against this conception and outline the view of Rousseau as a democrat in line Bertram's 'democratic conception' of the general will, which 'identifies the general will with the decisions of the sovereign people as they legislate together' (Bertram 2012, 403). I will argue that this conception of the general will is better supported by *The Social Contract*, despite Rousseau's failure to properly recognise the difficulties of deriving the 'common interest' of the people from their democratic vote. Though his political system is not practicable, Rousseau can be upheld as a democrat.

Before I move on, I think it is necessary to note that the authoritarian–democrat dichotomy is not perfect. To avoid confusion, I will define authoritarianism as a system of government in which power is concentrated in the hands of a few people who are not accountable to those who they rule. I will use

two definitions of democracy which are derived from Rawls' idea of procedural and substantive justice (Rawls 1999, as cited in Miller 2021). The procedural definition defines democracy broadly as a political system in which the people have the ability to hold the government to account through free and fair elections, and the second, more substantive definition adds that a democratic system will realise the common interest of the people governed by it (Miller 2021). I will also intermittently refer to Rousseau's idea of the social contract, which is the agreement between people that allows the general will to rule, and which all people must become signatories to in order to join civil society.

## Rousseau as an authoritarian

Rousseau's dissenters argue that his writings in *The Social Contract* better support the transcendent conception of the general will rather than the democratic conception. This is the idea that the general will is a fact that exists independently of deliberation, supposedly manifesting in policy that represents the common interest of the people. Under this conception the general will is not dissimilar to the word of a transcendent, godlike being, who is believed to hold only people's true interests at heart. A few important moments in the text support this view. Rousseau clearly differentiates the democratic vote of the people from the general will when he states that there is often 'a great deal of difference between the will of all and the general will' (Rousseau 1987, 155). Further, he creates no ambiguity over whose guidance he believes to be superior, saying that 'the general will is always right and always tends toward the public utility [but] it does not follow that the deliberations of the people always have the same rectitude' (Rousseau 1987, 155). It is not hard to see how these moments could support the argument that Rousseau places no importance on the democratic vote of the people, and instead believes that the general will exists independently of deliberation. The question then arises: who shall interpret the general will?

For Rousseau, the state is led by 'the legislator', who is the original organiser of the political state as people leave the state of nature, and who must have 'superior intelligence that [beholds] all the passions of men without feeling any of them' (Rousseau 1987, 162). Rousseau is clear that the legislator is not a ruler in the sense that they dictate the law—that is the job of the general will—but he does place emphasis on the need for the legislator to be persuasive, and use these powers to convince the public that they can rule themselves through the general will (Rousseau 1987, 162–65). Paired with a transcendent conception of the general will it seems practically unlikely that the legislator will not be able to abuse their power, because, if the general will cannot be realised through democratic vote then it must be interpreted by some other apparatus or person, presumably the legislator. To add to this problem, Rousseau does not specify any particular mechanism for the separation of powers in government, since he believes that there should be only one supreme power: the general will. While Rousseau is critical of leaders with too much power, writing that 'when one has force at hand, there is no art to making everyone tremble and not even very much to winning over people's hearts' (Rousseau 1987, 118), his political system seems vulnerable to capture by an authoritarian leader.

Perhaps Rousseau's most controversial idea in *The Social Contract* is that individuals who neglect to follow the general will must be forced to do so, or as Rousseau puts it, be 'forced to be free' (Rousseau 1987, 150). Freedom is not usually conceived as a state that can be forced upon someone, and so Rousseau's statement here can feasibly be interpreted as overly authoritarian, particularly by those with a republican conception of freedom: freedom as the absence of a power that can arbitrarily control individuals. I believe that Rousseau's idea of freedom can be partially reconciled with republican freedom, though only in terms of interpersonal relationships, not an individual's relationship to the state. The kind of freedom that Rousseau believes the state must, at times, force upon people is the freedom that is upheld by the general will: the freedom from depending on any other individual for the provision of one's needs. This is a decidedly republican view of freedom, but to achieve it, each individual is required to give 'all his rights to the entire community' (Rousseau 1987, 148) and therefore be entirely unfree from arbitrary interference by the state. In regards to the state's relationship with individuals, Rousseau prefers a positive conception of freedom: freedom as one's ability to realise their true interests. Embedded deep in the general will is a notion that all citizens should be favoured equally, and that people should be prevented from pursuing their own interests if this detracts from the common

interest. This entails a degree of state intervention in the economic and social lives of people that easily surpasses the practices of any modern democratic government, and is intuitively unjust for many people living in such societies. This argument against Rousseau's conception of freedom and the previous argument that the general will is a transcendent fact both contribute to a conception of Rousseau as an authoritarian philosopher, a conception which I will now refute.

## Rousseau as a democrat

I believe that those who pin Rousseau as an authoritarian are mistaken in their diagnosis, because his writings in *The Social Contract* better support a democratic conception of the general will. Bertram states that the democratic conception of the general will 'identifies the general will with the decisions of the sovereign people as they legislate together' (Bertram 2012, 403). At first take this idea seems hard to reconcile with Rousseau's aforementioned conviction that the general will always works for the public good and yet the outcome of the people's deliberation does not. I will argue that this is not a contradiction, but rather aligns with Rousseau's ideas that 'the populace is never corrupted, but it is often tricked' (Rousseau 1987, 155), and that the people can overcome this deception by establishing a constrained form of direct democracy.

Gopal Sreenivasan outlines this point in his paper *What Is the General Will?* Sreenivasan believes that the two conceptions of the general will (roughly mapping to the ones that I have outlined) can be accommodated to form a wholistic view of the general will in which the democratic conception dominates, and through which Rousseau can be conceived as a democrat (Sreenivasan 2000, 546-47). Sreenivasan's argument can be outlined simply as such:

Premise 1: 'The general will is the constrained deliberative decision of the community' (Sreenivasan 2000, 554).

Premise 2: 'The community's constrained deliberation always promotes the common interest' (Sreenivasan 2000, 555).

Conclusion: 'The general will always promotes the common interest' (Sreenivasan 2000, 556).

The first premise is supported by a handful of key moments in *The Social Contract*. Rousseau states that 'there can never be any assurance that a private will is in conformity with the general will until it has been submitted to the free vote of the people' (Rousseau 1987, 164), and he believes that 'the general will, to be really such ... must derive from all in order to be applied to all' (Rousseau 1987, 157). Here Rousseau seems to favour a democratic voting process in order to determine the general will, but we still must reconcile his musings on the difference between the general will and the 'will of all' with these statements. Rousseau thinks that the general will only differs from the majority vote when the people are deceived, an idea which is related to his view of what people are really being asked when they vote on issues. He believes that people should not vote with their private interest in mind (for that would be deception from the realisation of their true interests), but rather prioritise 'whether or not [the proposal] conforms to the general will that is theirs' (Rousseau 1987, 206). If people were to do this, 'declaration of the general will [would then be] drawn from the counting of votes' (Rousseau 1987, 206). This is a highly idealised form of democracy, and one that has never manifested on a state level. However, this account of how the general will can be derived from a vote of the people seems enough evidence to argue for premise 1, and even goes some way to showing that Rousseau was at least a procedural democrat.

This is encouraging, but does nothing to accord the general will with the common interest, and therefore the social contract with a substantive conception of democracy. Before showing the ways in which premise 2 could be true, therefore proving the conclusion, I will point out that Rousseau supports the conclusion directly on at least four occasions in *The Social Contract* (Sreenivasan 2000, 575), with variations on the line: 'the general will is always right and always tends toward the public utility' (Rousseau 1987, 155). This shows that Rousseau believed that the general will would always promote the common interest, but it is not this relationship that I am solely interested in. Rather, to align Rousseau's thought with substantive democracy, we should also look to the question of how he believes the deliberation of the community can lead to a general will that promotes the common interest. To

answer this question, I will follow Sreenivasan in deriving Rousseau's four practical constraints on deliberative democracy that accord the people's vote, and therefore (accepting premise 1) the general will, with the common interest. These four constraints are that the community's deliberative decision expresses the general will only if:

1. The subject of deliberation does not refer to individuals explicitly.
2. The conclusions of the deliberation can apply to all members of the community equally.
3. All members of the community partake in the deliberation.
4. All members of the community think for themselves in the deliberation process (Sreenivasan 2000, 565).

I will now discuss each of these constraints in turn and highlight the textual evidence that supports Rousseau's conviction in each of them. Firstly, Rousseau argues that laws made under a system that is guided by the social contract and the general will will not refer to individuals explicitly (Sreenivasan 2000, 566). Rousseau highlights this need multiple times, saying that the law 'cannot bestow [privileges] by name on anyone' (Rousseau 1987, 161) and that 'there is no general will concerning a particular object' (Rousseau 1987, 161). This constraint instils a deep egalitarianism into the general will: it serves to make sure that no individual or group is being specially treated, for better or worse, by any state that adopts the general will as their guiding principle.

Rousseau's second constraint is highly related to his first, and states that the conclusions of the community's deliberation should apply to all members of the community equally (Sreenivasan 2000, 567). He expresses this in saying that 'every authentic act of the general will ... obligates or favours all citizens equally' (Rousseau 1987, 158). There are two possible ways of interpreting the equality requirement here: equality of result and equality before the law (Sreenivasan 2000, 567). To distinguish between these two conceptions of equality, consider a law stating that four-wheel-drive vehicle owners must pay extra tax on each four-wheel-drive that they own, to account for the social cost of the extra pollution that these vehicles emit compared to smaller cars. This law would not be considered egalitarian under an 'equality of result' conception of equality because the subset of the population that owns four-wheel-drives would have a higher tax obligation than those outside of this subset. The 'equality before the law' conception, however, would uphold this tax as egalitarian because every member of the population may theoretically join this subset if they choose. I believe that Rousseau refers to the latter definition of equality in establishing this constraint because he explicitly states that 'the law can perfectly well enact a statute to the effect that there be privileges, but it cannot bestow them by name on anyone' (Rousseau 1987, 161). Privileges here can be negative or positive, but Rousseau believes that they can be justified as long as every member of the population can choose to enter and exit from the subset of the population that they apply to. Together with the first constraint, this constraint goes some way toward preventing individuals or groups legislating with their own selfish interests in mind, because any benefit they gain for themselves in passing favourable legislation will be passed on to others in similar circumstances.

The third constraint that Rousseau believes must be placed on the community's deliberation holds that all members of the community must partake in the deliberation for the outcome to express the general will (Sreenivasan 2000, 568). This is supported by familiar moments in *The Social Contract*, where Rousseau says that the general will must 'must derive from all in order to be applied to all' (Rousseau 1987, 157), and that 'the will is [either] general or it is not. It is the will of either the people as a whole or of only a part' (Rousseau 1987, 154). While Rousseau believes that the community can be deceived as to what their interests actually are, it is hard to argue that the general will will not be closer to representing the common interest of the people if all of the people that it governs are consulted in deriving what the general will is (Sreenivasan 2000, 568). Even though the general will aims to represent what is actually best for people, not what they think is best for them, these two notions will usually have some positive relationship to each other.

This is especially true when the fourth constraint on the community's deliberation is obeyed, that being that all people should think for themselves and vote accordingly (Sreenivasan 2000, 570). This constraint is derived from Rousseau's statement that, for the general will to act in the common interest of the people 'there should be no partial society in the state and ... each citizen [should] make up his

own mind' (Rousseau 1987, 156). This constraint contributes to realising the common interest (and the truth of premise 2), due to the idea that the common interest will be the aggregate of all interests when every person accurately represents their true interests. This constraint aims to eliminate the problem of people being deluded as to their true interests, and almost certainly falls short.

Here we are finally faced with the gaping hole in the general will: if everyone were to think for themselves, most would still fail to realise their true interests. One's true interests are so difficult to determine that it is near impossible to realise them. Even if it were relatively simple to realise one's true interest, it would still be near impossible for enough people to do so such that the common interest of the people was the democratic outcome. Therefore, it is impossible for the general will to be reliably derived from the majority vote of the people (even under these four constraints) and concurrently represent the perfect common interest of the people as a whole. Premise 2 is not true. People are simply too unique for the fourth constraint (i.e. that all people should think for themselves and vote accordingly) to reliably result in legislation that promotes the common interest. Nevertheless, I do not believe that this defeats my argument that Rousseau should be conceived as a democrat. Rousseau not only accorded the general will with the common interest of the people, but even attempted to spell out exactly how free and fair elections, the most important element of democracy, could reliably lead to a governmental system which promoted this common interest. Here, he fell short, but I think that it would be disingenuous not to label Rousseau as a democrat simply because his view underestimated the difficulties of realising one's true interests.

## Conclusion

The political system of Jean-Jacques Rousseau has understandably been interpreted as one which places too much power in the hands of a few, and allows these few to govern in their own interest. However, I do not believe that Rousseau would have thought such a situation to be just. Despite his failure to recognise the difficulty of deriving the common interest of a group from the vote of the people, Rousseau intended the general will to promote the common interest and for this general will to be derived through democratic processes. Rousseau, at a time when no fully formed democracies existed, crafted an almost perfectly democratic governmental system based on the common good of the people, a claim that no authoritarian philosopher, to the best of my knowledge, can make.

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