

Classical Theories of Liberty

Lecture 3: Rousseau

§1. Political obligation

What is the basis of our moral obligation to do what the sovereign wishes us to do?

We do have a moral obligation to do what our *parents* wish us to do...is it this kind of obligation?

T1 '...the children remain bound to the father only as long as they need him for their preservation. As soon as that need ceases, the natural bond dissolves.'

(Social Contract, p.42)

I have this sort of moral obligation towards a person if and only if... they are capable of looking after me... and I am not capable of looking after myself.

P1 The Queen is capable of looking after us, and we are not capable of looking after ourselves.

P2 If the Queen is capable of looking after us, and we are not capable of looking after ourselves, then we have a moral obligation to do what the Queen wishes us to do.

C We have a moral obligation to do what the Queen wishes us to do.

Do we have a moral obligation to what we are forced to do?

T2 'Force is a physical power; I fail to see what morality can result from its effects...A brigand takes me by surprise at the edge of a woods: am I not only forced to hand over my purse, but also obliged to hand it over...?'

(Social Contract, p.44)

Now, we do have a moral obligation to do what we have agreed, or consented, to do...

P1 If we have agreed to do what another person wishes us to do, and he/she has not agreed to give us anything in return, then we are mad.

P2 If we are mad, then we have not agreed to do what another person wishes us to do.

C If we have agreed to do what another person wishes us to do, then he/she has agreed to give us something in return.

T3 ‘To say a man gives himself gratuitously is to say something absurd and inconceivable; such an act is illegitimate and null, for the simple that whoever does so is not in his right mind.’

(Social Contract, p.45)

Do we get food, drink and shelter from the Queen? Do we get peace and security?

T4 ‘The Greeks imprisoned in the Cyclops’s cave lived there tranquilly, while awaiting their turn to be devoured.’

(Social Contract, p.45)

Is anarchy an option?

T5 ‘...that primitive state [i.e. the state of nature] can no longer subsist, and humankind would perish if it did not change its way of being.’

(Social Contract, p.49)

§2. *The general will*

T6 ‘[the] difficulty... can be stated in the following terms. ‘To find a form of association that will defend and protect the person and goods of each associate ... and by means of which each, uniting with all, nevertheless obey only himself and remain as free as before... This is the fundamental problem to which the social contract provides the solution.’

(Social Contract, p.49-50)

T7 ‘The clauses of this contract... all come down to just one, namely the total alienation of each associate with all of his rights to the whole community...Each of us puts his person and all his full power in common under the supreme direction of the general will; and in a body we receive each member as an indivisible part of the whole.’

(Social Contract, p.50)

We agree to do not what any particular person or group of persons wishes us to do, but rather what the community as a whole wishes us to do. We agree to obey the general will.

But what is the general will?

The pure procedural answer...

The general will is what the majority votes for in an assembly of the whole community.

The non-procedural answer...

The general will is what is in the interest of the whole community.

The perfect procedural answer...

The general will is what is in the interest of the whole community... and this is what the majority votes for in an assembly of the whole community.

A brief digression on the Condorcet Jury Theorem...

T8 'From the preceding it follows that the general will is always upright and always tends to the public utility: but it does not follow from it that the people's deliberations are always equally upright. One always wants one's good, but one does not always see it: one can never corrupt the people, but one can often cause it to be mistaken, and only when it is, does it appear to want what is bad.'

(Social Contract, p.59)

P1 The general will is always what is in the interest of the whole community.

P2 What the majority votes for in an assembly of the whole community is not always what is in the interest of the whole community.

C The general will is not what the majority votes for in an assembly of the whole community.

Rousseau definitely accepts P2. Does he really accept P1?

T9 'If, when an adequately informed people deliberates, the Citizens had no communication among themselves, the general will would always result from the small number of differences, and the deliberation would always be good...But when factions arise, small associations at the expense of the large association... there can no longer be said to be as many voters as there are men, but only as many as there are associations.'

(Social Contract, p.60)

So the general will is... what the majority votes for in an assembly of the whole community, but only if... everyone is 'adequately informed', and... nobody votes as they do because this is what another person or a group of persons wishes them to do.

T10 'It is important, then, that in order to have a general will expressed well, there be no partial society in the State, and every Citizen state only his own opinion.'

(*Social Contract*, p.60)

§3. Freedom

T11 'Man is born free, and everywhere he is in chains... How did this change come about? I do not know. What can make it legitimate? I believe I can solve this question.'

(*Social Contract*, p.41)

T12 'Liberty consists less in doing one's will than in not being subject to that of another; it consists again in not submitting the will of another to our own.'

(*Letters Written from the Mountain*, No.8)

X is free if and only if... there is nobody else Y such that X's will is subject to Y's will... and there is nobody else Y such that Y's will is subject to X's will.

This conception of freedom has a lot in common with the Republican conception of freedom as non-domination recently championed by Philip Pettit.

T13 'This conception... requires the absence of domination by others... [but] it needs something more than the absence of interference; it requires security against interference, in particular against interference on an arbitrary basis.'

(Philip Pettit, *Republicanism: A Theory of Freedom and Government*, p.51)

This conception of freedom also gives Rousseau the resources to give a much richer account of the sources of freedom in early modern society.

T14 'What man loses by the social contract is his natural freedom and an unlimited right to everything that tempts him and he can reach; what he gains is civil freedom and property in everything he possesses...To the preceding one might add to the credit of the civil state moral freedom, which alone makes man truly the master of himself; for the impulsion of mere appetite is slavery, and obedience to the law one has prescribed to oneself is freedom.'

(*Social Contract*, p.53-54)

Do I really enjoy freedom as non-domination in the civil state?

T15 'One is free, although subject to laws, and not when one obeys a man, because in the latter case I obey the will of another, but in obeying the law I only obey the public will, which is as much mine as anyone else's.'

(Unpublished fragment, quoted by Chris Bertram)

Rousseau also has a positive conception of freedom: moral freedom.

T16 'Like my cat, I often simply do what I want to do. I am then not using an ability that only persons have.'

(Derek Parfit, *Reasons and Persons*)

§4. Paradoxes

Paradox 1:

T17 'One believes himself the others' master, and yet is more a slave than they.'

(*Social Contract*, p.41)

How can a master be *less free* than his/her slave?

Paradox 2:

T18 '...for the social compact not to be an empty formula, it tacitly includes the following engagement, which alone can give force to the rest, that whoever refuses to obey the general will shall be constrained to do by the entire body: which means nothing other than that he shall be forced to be free... for this is the condition which, by giving each Citizen to the Fatherland, guarantees him against all personal dependence...'

(*Social Contract*, p.53)

How can anyone be *forced to be free*?

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