

## A CHALLENGED VISION AND ITS ALTERNATIVES. The Concept of General Will in Jean-Jacques Rousseau's Social Contract

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### **Abstract**

Emerging from the perspective of contemporary debates in democratic theory, this study is an enquiry into the critical discussion on classical theory of participatory democracy advanced by Joseph Schumpeter in *Capitalism, Socialism and Democracy* and its pertaining to the meaning and function of the concept in the elitist democratic theory. The comparative approach of the analysis is illuminating the common philosophical framework on which Rousseau and Schumpeter are nevertheless drawing diverting designs and theories on democracy, the elitist versus the participatory one. The argument of the study develops on the validity of the concept of the general will in Rousseau's version with respect to human nature, freedom, association, citizenship and participation as opposed to serfdom and slavery, to governance generated by force as the source of right in politics. The normative content of the concept is as well addressed with reference to the context of the classical natural right theory with Rousseau, and the critics of it in the contemporary elitist setting with Schumpeter.

**Key words:** general will, common will, public opinion, majority, democracy, participation, elites, association, citizenry, slavery, political right, force, human nature, natural law, political behavior.

### **Introduction**

One of the most valued, but also one of the most challenged authors among those philosophers whose contribution is esteemed as a benchmark for the development of philosophy, political theory and science, Jean-Jacques Rousseau represents, for the current literature in these fields, a source, a frame of reference or a model. The successive appreciation or challenge enjoyed or incurred by *The Social Contract* since its appearance is nothing but the effect of the theoretical imagination, argumentative consistency, stylistic momentum or commitment to a normative discourse that Rousseau developed in its pages.

The present paper itself is only an example of the way Rousseau's text attracts attention and interest in the context of contemporary theory of

democracy debates, of the way in which, through recursive consultation, the contemporary dialogue in the field is sustained, enriched, and refined by and in complementary, alternative, or opposed visions and orientations. In what follows, out of the conceptual constellation of the political theory in *The Social Contract*, we will try to detach, analyze and evaluate the meaning, value and operationalization of the concept of general will, in an approach specific to the perspective of contemporary theory of democracy<sup>1</sup>.

### **Rousseau, the unknown target of Joseph Schumpeter's critique of the classical theory of democracy**

In a famous chapter – 21, entitled “The Classical Doctrine of Democracy” – of a no less famous work – *Capitalism, Socialism and Democracy* – Schumpeter develops what we could call the established vision of modern democracy in those assumptions that would position the most important contributions of the twentieth century in the field: liberal/pluralist democracy, deliberative and participative democracy, catallaxy and radical democracy. His approach is initiated by revisiting, reformulating in his own terms, and criticizing what he would determine as being, from now on, the classical theory of democracy. There are four issues Schumpeter discusses, in order to show why the assumptions behind the classical theory of democracy are not based on evidence, in other words, on experience, but are exclusively moral, metaphysical, assertions, and thus it cannot lead to anything feasible; hence the danger we are exposed to if we opt for democracy as a functional political regime.

The issues identified by him equally reflect the paradigm of modernity in the complete and final version of natural law theory, together with the enlightenment project contained by *The Social Contract*, the common good and the general will, the distinction between the will of the people and the individual will, the particularities of the manifestation of human nature in politics, and the role played, coupled with the goals served, by the classical theory of democracy as an explanation for its endurance in modern culture. Thereby, referring to the entire tradition of the philosophy of democracy in the eighteenth century, Schumpeter (1996, 250) summarizes it in the following definition: “... the democratic method is that institutional arrangement for arriving at political decisions which realizes the common

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<sup>1</sup> While *The Social Contract's* path from the 18<sup>th</sup> to the 20<sup>th</sup> century is captivating due to its sinuous course or the explosive reaction of its witnesses, the present paper will make only passing remarks to either the authors that have approached it positively or negatively, or the historical context or contexts that it has been claimed were sustained or generated by it. In both those cases, different kinds of analyses and approaches are needed.

good by making the people itself decide issues through the election of individuals who are to assemble in order to carry out its will” (emphasis added). In the following passages, Schumpeter devotes his entire capacity as an economic analyst to the realist critique of the three notions underlined in the text, in order to show their inconsistency both in regards to current political experience, and to the scientific discoveries in the field of social psychology, sociology, or even history. He one by one does away with the manner in which the current significance of these concepts, the way they have been disseminated and used, conferred them with authority and renown.

The common good, says Schumpeter concisely, is conceived in the entire tradition of the eighteenth century as existence, as undeniable reality, which is obvious, simple and clear to perceive for everybody – perhaps less so for the ignorant, stupid or those with antisocial intentions/mean-spirited – and as a source of universal judgment with authority/righteousness over what is good and what is bad. This theory is much more difficult to prove if we were to observe the facts, while if we were to rely on them, it will be much easier to reject. This is to be taken into account if we want to actually realize a democratic institutional arrangement, not only to imagine it. In total contrast with the enlightened-rationalist assumption of the common good, the Austrian economist intervenes trenchantly and uncompromisingly, stating that there is no such thing as a common good universally determined, to which all people would adhere, or to which they would be convinced, through the power of rational argument, to adhere. This is due, Schumpeter (1996, 251) continues, “not primarily to the fact that some people may want things other than the common good but to the much more fundamental fact that to different individuals and groups the common good is bound to mean different things.” The greater difficulty in providing these meanings appears when rationality is brought into play: rational argument cannot be decisive because ultimate values, which determine the configuration of the good, are irrational, “ – our conceptions of what life and what society should be – are beyond the range of mere logic” (Schumpeter 1996, 251).

Even if the discussion concerned a common good defined in extra-minimalist terms, like the example of the utilitarian principle of economic satisfaction acceptable for everybody, and which would create the impression of a sound generalization, this does not necessarily imply that for individual, specific, issues we would have similarly precise answers.

“Opinions on these,” Schumpeter (1996, 252) says, “might differ to an extent important enough to produce most of the effects of ‘fundamental’ dissension about ends themselves.” Thus, again, where is the common good? Therefore, his conclusion is that, regardless of the argumentative approach, the perspectives that circumscribe the definition of democracy stated, the enlightened, romanticist, or utilitarian one, the concept of common good lacks any empirical support.

The concept of common good is essential for developing the next pillar of the vision of the classical theory of democracy, that of the general will. The common good, identified and reasoned, is the one that generates and aggregates the general will, as a political instrument for its realization. But seeing as the common good has just crumbled, can the general will still stand up? We would expect that Schumpeter’s answer would be as trenchant from the beginning as the one he gave us concerning the common good; however, he is more reluctant and the steps of his demonstration serve to put something else in place, rather than abolish. His preference is to reformulate the terminology, rather than eliminate the term altogether. Therefore, not the general will, but the common will or public opinion, is the term that better captures what emerges from, like he says, “the infinitely complex jumble of individual and group-wise situations, volitions, influences, actions and reactions of the ‘democratic process’ ...” (Schumpeter 1996, 253). Yes, the common will, public opinion, exists, we can investigate it, we can measure it, we can evaluate it, but its result is not only lacking in rational unity, but also rational sanction, which means in the latter case that, while it can be explained scientifically, the results have no meaning in themselves. In other words, since public opinion does not reflect any common good, the results cannot be interpreted as indicators of some common goal, a common purpose.

Beyond this methodological difficulty, however, Schumpeter identifies another, which takes aim at the rationalist paradigm. The profile of the rational citizen perfectly knowledgeable of the democratic process as support of the will, is the one under discussion from now on. The examination of the existence of the practical capacities necessary to the individual as a citizen, which means finding an individual with an independent and rational will, is what would validate the participatory democratic process as envisioned by the classical theory of democracy. In Schumpeter’s (1996, 253) words, “If we are to argue that the will of the citizens *per se* is a political factor entitled to respect, it must first exist.” We would need to show that everyone knows “definitely what he wants to

stand for. This definite will would have to be implemented by the ability to observe and interpret correctly the facts that are directly accessible to everyone and to sift critically the information about the facts that are not" (Schumpeter 1996, 253). Finally, Schumpeter continues sarcastically, we would need to show the way in which, starting from this definite will and from these systematically established and clearly ascertained facts, every one of the individuals, the citizens participating in that society, will reach the conclusion necessary for solving the particular problem under discussion; a conclusion that not only will have the clarity of a logical inference reached using argumentative rules in a rational construction, that not only will be the result of an effective, qualified and timely process, but, specifically, it will be implemented instantly. We will thus not only have one solution, but as many as individuals, each one having the same characteristics, each one as good as the other, each one the result of an autonomous deliberative process, free from any influence, persuasion, or pressure from other individuals, pressure groups and ideologies or propaganda. This is the portrait of the *modal citizen*, analyzed in all the details of the assumption under which it is conceived, and with all the implications that they lead to—an approach to be taken into account, since the citizen, the individual is the support of the general will, turned into common will, that makes democracy function. Of course, Schumpeter agrees, we can admit the existence of such a society in which we have individuals enjoying the same capacities, but he emphasizes that this does not automatically mean that the decisions, the conclusions of every individual will result in a common will, in an aggregate will, that would sustain the democratic process; on the contrary, such a picture that breaks the general will into the wills of the individuals, is one that paints a society that is at best disjointed, or, at the extreme, divided.

Following Schumpeter's train of thought, there are two issues that rouse his interest and to which he gives special attention to: the support or the subject of the democratic process—and, if of the democratic one, then of any political process—and how human nature manifests itself in politics, and how it is possible to realize a democratic conjecture, given human nature, respectively. He does not reject either the idea of human nature, as such, or democracy as an institutional arrangement following a certain configuration of human nature. From this point of view, he is as much the contemporary of Hobbes, Rousseau or Mill, meaning he is part of the paradigm of modernity, but to which he opposes a realist version of politics. In a kind of symmetry of the philosophical concepts that sustain

this paradigm, Schumpeter is Hobbes' strong retort to Rousseau's ideas, but also to those of Locke, that Rousseau embraces. While Rousseau is systematically positioning himself critically regarding Grotius and Hobbes, both concerning their vision of human nature, and in regards to the best governance, offering as an alternative principles of a sovereign democratic governance instead of governance by the sovereign ruler, Schumpeter states and proves the validity of the concept of human nature in the vision of Hobbes, Grotius, and, eventually, of Machiavelli. He rejects as devoid of reality and idealistic, or, even more, utopian, the attributes of human nature in Rousseau's description and that he mocks in the portrait of the modal citizen. He is as intimately convinced by the experience of humanity as his brilliant predecessors that the reactivity of human nature in politics tends towards the convergence of its power and autonomy, but unlike them, Schumpeter finds in democratic governance the institutional arrangement, with just as much support in the premise of human nature, fit to counteract the effect of the convergence of power in the sovereign, monarch, namely, in the Leviathan. Democratic governance is that artifact that we can design in such a way so, on the one hand, it would lift the permanent siege of anarchy, and, on the other hand, it would limit and control the natural tendency of power to detach from its support/subject. But the democratic governance that is seen as functional by Schumpeter is something completely different from the participative democracy that Rousseau sees as an alternative to the Leviathan. Therefore, to understand the relationship between the two approaches to democracy, it is necessary to compare the two authors' vision of human nature.

### **Human nature and behavior in politics. Preliminaries to the study of political behavior**

The conceptual entity, from which the two authors' opposing perspectives on the way we should see democracy as a political regime emanate, is human nature. Neither of the two authors is necessarily original in representing human nature as the starting point of the coordinate axes on which its effects in the political plane are analyzed. In the discussion over human nature, both Rousseau and Schumpeter are, consciously and responsibly, honestly and distinctly, aligning and integrating themselves to an impressive philosophical corpus, which includes distinguished contributions: Aristotle and Plato, Augustine and Aquinas, Marsilius of Padua and William Ockham, Machiavelli and Grotius, Hobbes and Locke, Condorcet and Gustave le Bon, to stop only at the nineteenth century. However, the contexts, the developments and emphasis of Rousseau and Schumpeter are different, and this observation, even if it may sound trite at

first glance, is worth expanding in order to see the entire landscape painted by the premise of human nature in the construction of participatory and elitist democracy, respectively.

“I intend to examine whether, in the ordering of society, there can be any reliable and legitimate rule of administration, taking men as they are, and laws as they can be,” Rousseau (1999, 45) aims, and famously continues: “Man was born free, and everywhere he is in chains. There are some who may believe themselves masters of others, and are no less enslaved than they. How has this change come about? I do not know. How can it be made legitimate? That is a question which I believe I can resolve.” He proposes a program that aims to examine the conditions under which a human being’s natural freedom is transformed into civil slavery, of the terms under which one can maintain the condition of freedom in a civil society, and, finally, how a government that would restore and secure the condition of freedom should look like and function. We have therefore from the beginning one of the descriptors of human nature, the first in the order that Rousseau generates, and the way he understands it is primarily as independence, as autonomy from another person. He mentions elsewhere that there “are two sorts of dependence: dependence on things, ... since it has no morality, is in no way detrimental to freedom and engenders no vices; dependence on men, since it is without order, engenders all the vices, and by it, master and slave are mutually corrupted” (Rousseau 1979, 85).

The idea of freedom is supported morally and rationally. The source of freedom is, the same as for Locke, God, and therefore humans are beings under moral law whose knowledge is possible through their endowment with and natural capacity, reason. The ethics-reason combination is the source of human freedom, and this is what provides the conditions for the legitimizing of any constitution designed by human rationality. Such a constitution would be fundamentally different from the natural condition, but its purpose is to support the preservation of freedom and human emancipation; it is not a natural state anymore, it is a realization of humans’ inventive capacity, a construct, an artifact meant to assure the commodity of their existence. Individual natural freedom in this concept generates individual good, while its instruments are moral law and reason.

This would be the moment that Rousseau and Schumpeter, in an imaginary dialogue, would be in agreement. Yes, Schumpeter says as well, individuals define their own good and rationalize their experience

regarding their success or failure in achieving that good. However, unlike Rousseau, Schumpeter is far from being in agreement that the source of the good, that is to say, the moral law, is unique. Deconstructing the idea of human nature for Rousseau, the concept of freedom is taken as a real possibility of constituting the common good from individual good, exactly because of the universality of the moral law. While for Schumpeter deconstructing the same idea results not only in contemplating a variety of understandings of what the individual good means, but also the fact that, in whatever understanding it appears, it is the result of an individually rationalized experience. Moreover, even if every individual has the capacity to use reason, the differences in the use of this capacity are the result of a diverse array of factors, only whose examination would offer a correct delineation of what rational means for each of them.

Unlike Rousseau, who makes freedom one of the conditions of the existence of human nature, Schumpeter hardly ever mentions this concept in his account of human nature in politics. He emphasizes, in the vein of those mentioned above, that the individual thinks himself or wants to be free, autonomous, independent in the same way he considers himself rational and justified in his actions, but, he continues, if we will examine what this means in reality, the results will be different. While taken individually, everybody is under the influence of ideas, programs, ideologies, propaganda or just advertising, in a collectivity, as part of a group, their capacity of rational reactivity is strongly influence by it. While Rousseau condemns us to freedom, Schumpeter shows us how illusory it is. And while Rousseau offers a project to ensure the preservation of freedom, Schumpeter imagines an institutional arrangement to fill in the illusion of freedom.

The entire argument Rousseau builds on the state of natural freedom, as an origin of legitimacy of the civil order or of the political right, is achieved through a balance and analysis of the various meanings of freedom and deprivation of freedom that we experience in natural and civil societies. The outline of his examples and argumentation, with appeals to history, anthropology, theology, law or philosophy, is not essentially different from that of his predecessors in the theory of natural law. However, he offers an approach to the emancipator meaning of freedom that authors before him have either contested, or avoided by omission, or, at best, have given cursory attention. When Rousseau tells us that people are everywhere in chains, he is referring to a concrete meaning of lack of freedom, he is not simply being colorful or metaphorical, rather he is explaining what giving

away freedom, lack of freedom can mean or lead to in reality. Slavery, as the opposite of freedom, is a subject that can be encountered in the contractualist literature of the seventeenth century, which was mostly searching for ways to legitimate it<sup>2</sup>, rather than finding the limits to freedom that slavery entails, and lifting them. If for these authors slavery is part of the natural order, just as much as freedom, Rousseau circumscribes it to the social sphere, civil order, governance, as a result of its corruption. Significantly, he treats slavery not only as individual deprivation of freedom, but as collective deprivation of freedom, which points to the symmetrical existence of collective freedom, because if we can have people deprived of freedom, we can also have peoples deprived of freedom; shared freedom, “a result of man’s nature” (Rousseau 1999, 46), is the concept that opens our understanding of what, for Rousseau, is the source of all legitimate governance, meaning citizens united into a whole that he calls a people.

This demonstration obviously serves his discussion on the principle of political right—the subtitle of *The Social Contract*—that is, the ways of legitimating public authority. Slavery is the consequence of accepting the political principle of the right of the strongest, and this expression suggestively and concisely reflects the realist vision of politics in the version targeted by Rousseau, namely, that of Hugo Grotius: “Grotius,” Rousseau (1999, 46-47) says, “denies that all human power is instituted for the benefit of the governed. He cites slavery as an example; his commonest mode of reasoning is to base a right on a fact.” Grotius’ argument on founding right on strength is based on an extensive observation of human experience in politics furnished by history. The examples that history puts at our disposal are the ones that Grotius takes as a reference. History is a sufficiently relevant and consistent database, which gives us the necessary components to infer that *might generates right*. The causal relation he establishes is statistically supported, because, as we can see, in most cases it is force that imposes itself before any kind of conventions. His approach is one that we would describe today as methodologically empirical and positivist, and theoretically as realist, specifically in the understanding of the term in the field of political theory in general—Giovanni Sartori—and particularly of international relations—Hans J. Morgenthau.

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<sup>2</sup> The motivation for legitimating it can be found in the analysis of the historical context, but it is not under the purview of this paper.

Rousseau (1999, 48-49) is peremptory in his critical reflection regarding Grotius' argument and its deconstruction: "The stronger party is never strong enough to remain the master forever, unless he transforms his strength into right, and obedience into duty. This is the source of the 'right of the strongest', a right which people treat with apparent irony [La Fontaine, *The Wolf and the Lamb*] and which in reality is an established principle. But can anyone ever explain the phrase? Force is a physical power; I do not see how any morality can be based on its effects. To yield to force is an act of necessity, not of consent; at best it is an act of prudence. In what sense can it be a duty? ... But what kind of a right is it that is extinguished when that strength is lost? If we must obey because of force we have no need to obey out of duty, and if we are no longer forced to obey we no longer have any obligation to do so. It can be seen therefore that the word 'right' adds nothing to force; it has no meaning at all here.... Let us agree then that might is not right, and that we are obliged to obey only legitimate powers." In building his counterargument, Rousseau uses two tactics: the one of classical rationalism, which we have seen already, in which reason creates right and legitimacy through the capacity to connect to the universal idea of good, and through which Rousseau identifies the source of political obligation in the universal moral obligation; the other, of a physical nature, realized through a transfer of terminology and causality from Newtonian mechanics, at the time a widely used instrument for describing and explaining the social or the political through similarity. If a force acts over an object, its effects will cease when the force no longer exists; pure force generates just pure mechanics. Contributing to Rousseau's critique we might add, using a Humean perspective: the fact that we have many cases—that is to say, enough cases—in which might generates right does not mean that must necessarily happen. History can give us countless examples for sufficiency, but never for necessity. Moreover, even in the cases examined, the vision over them is distorted. Force is not a cause of political right, but an effect of a situation.

Obligation does not come from force, but from reason, thus legitimacy has a rational basis. Yes, Rousseau admits, you can make a basis in history in order to show, as a rule, that most often force generates submission, obedience, but this does not mean that it simultaneously generates right or legitimacy. Force can generate rules but cannot create a moral order. "To renounce our freedom is to renounce our character as men, the rights, and even the duties, of humanity. No compensation is possible for anyone who renounces everything. It is incompatible with the nature of man; to remove the will's freedom is to remove all morality from our actions." (Rousseau

1999, 50) The chapter “Slavery” is, from the perspective of the contemporary theory of democracy, an example of the undecided dispute between positivist and normative approaches, in which, obviously, the supporters of the first category would have a sound representative in Grotius, while we have a dedicated normativist in Rousseau.

The passage we have just quoted, however, is extremely interesting regarding an aspect we will develop further. We are told that will without freedom empties human action of meaning, that in the content of this relation, freedom-will-morality, we have the particularity of our actions, our identity reflected by the purposes any human actions assumes. It is individual will that determines the individuals to reach their goals, to realize the individual good, and this way to make freedom possible in action. Introducing the concept of will alongside freedom as natural attributes of humans is an innovation in the gallery of contributions to natural law and contractalist theory, but, on the other hand, it has a similar role to the previous concepts proposed mainly by Hobbes and Locke. As a theoretical framework, it can be described thusly: that which exists naturally in the human constitution, is transformed both in the social, and, especially, in the political. The same way as, for example, Locke told us that man’s natural endowments to judge a situation and make decisions, therefore to act, to take action in his judgment, are found in the legislative and executive power in the political society, transferred through contractual mechanisms, so Rousseau creates the concept of individual will that will be the source of general will in the body of the sovereign. He imagines individual freedom as a source of shared freedom, and continues in the same way in regards to the concept of general will, starting from individual will.

The importance of this conceptual innovation is emphasized when Rousseau talks about human societies and their governance: “There will always be a great difference between subjugating a multitude of men and ruling a society. If a series of men, in succession, are made to submit to one other man, all I can see in them is a master with his slaves, however many of them there may be; I cannot see a people and its leader. It could be said to be an aggregation, but it is not an association; there is no public good, no body politic. The one man, even if he were to have subjugated half the world, is still only an individual; his self-interest, separate from that of the rest, is still only a private interest. If this same man comes to his end, his empire after him is scattered and dissolved, as an oak breaks up and falls

into a heap of ashes after being consumed by fire” (Rousseau 1999, 53). Association, public good, body politic, are terms that circumscribe another type of understanding of the social than the one given previously, terms that become clearer once we draw closer to the contemporary standards of democratic societies. Rousseau is the first to give its contemporary meaning to the term of civil society, of a free and voluntary association, governed through distinctive rules of decisional procedures, unanimously accepted.

An association that Rousseau describes mainly as participation, as opposed to his predecessors, that described the moment of the social and/or political contract as an aggregative moment. From the very beginning of his book, Rousseau (1999, 45) indicates the way such a political association based on participation works, when he says: “I was born a citizen of a free state and a member of its sovereign body, and however weak may be the influence of my voice in public affairs, my right to vote on them suffices to impose on me the duty of studying them....” The role of the individual as a citizen in a participative society is a continuous one and not a discrete one, as was the case in the previous aggregative solutions, in which the moment of agreement, of voting is the only participation and the support of its delegation to the political body. Participation is a prerequisite if what we want is to live together intelligently and responsibly, not divided and enslaved in a rabble. The continuity of participation is what reduces the danger of free associations transforming into enslaved peoples, of the citizen transforming into a slave. Because of this, the very moment of founding the association is a civil act, in which the individual will generates the general will.

The description Rousseau (1999, 54) offers for this moment is once again relevant for the methodological framework within which he operates: “... as men cannot generate new strength, but only unify and control the forces already existing, the sole means that they still have of preserving themselves is to create, by combination, a totality of forces sufficient to overcome the obstacles resisting them, to direct their operation by a single impulse, and make them act in unison.” The terms with which he operates are from classical mechanics, and it is a necessary reading if we are to understand Rousseau’s explanatory imagination. His view of the individual is an essentially Cartesian one, while its dynamic is given in terms of Newtonian mechanics. The individual is a physical body, he acts over other bodies through his individual will, which is nothing but a force. The effects of the actions of the individuals or the bodies in a system are given by the sum of the force within the system. Or, in a system the sum of

forces means compounding and cancellation of forces, reduction and augmentation, and then Rousseau's fundamental question, keeping in mind a physical system, is the following: how is it possible to achieve a social artifact designed as a system of forces that, once in, the individual would have the guarantee that what he is naturally as force would be preserved for the benefit of his existence. If the force and freedom of each individual are the tools of his preservation, what are the conditions under which they can be employed so as to retain full control over this duty to himself, which is his own existence. How should such a society look like?

The problem formulation that reproduces *in nuce* his participatory theory of democracy, opposed to the pluralist or elitist one, is resounding: "Find a form of association which will defend and protect, with the whole of its joint strength, the person and property of each associate, and under which each of them, uniting himself to all, will obey himself alone, and remain as free as before" (Rousseau 1999, 54-55). A system in which individual strength transforms into joint strength to ensure not only something newly defined as the shared freedom of association, but also that which is the individual freedom as an artifact, an engineering design distinguishing it from natural freedom.

Rousseau's answer is the social contract as a solution to the conditions of the real world where people, while born free, are in chains. Rousseau's answer is a project and not a logical assumption, or the result of a historical examination of political regimes, which completely distinguishes his contribution to social contract theory from those of his predecessors. His project is the design of a system that responds to the above requirements, a system where membership to the association defines the individual both as a private person, with his own interests, and as a citizen, in which capacity he is an indivisible part of the whole, which now is called and is the sovereign. In this capacity, he distinguishes the common interest, that is to say, the common good. The individual in his capacity as a citizen participates to the general will, while as a private person he uses his individual will to sustain his interests.

The association is a moral and collective body in which a member equals one vote, and each has the same weight. Rousseau calls this type of association a public person, but he is quick to clarify that it is found in the experience of civil society under the name of city or republic, evoking ancient democracy and modern republicanism. The origin of such a term

must be sought in the stipulation of the social contract, as written by Rousseau. He says: "Each of us puts his person and all his power in common under the supreme direction of the general will; and we as a body receive each member as an indivisible part of the whole" (Rousseau 1999, 55). As a public figure, the association has its own identity, its own will and its own life that are different from those of private individuals, but in which every individual finds himself. It is called, Rousseau continues, if the reference is collective, a people, and individually, citizens, precisely because they are participating in sovereign authority. How valued is participation as an essence of the social body follows from the verve with which Rousseau (1999, 56) notes and supports the meaning of the word city: "The true sense of this word has almost disappeared in modern writers. Most of them take a town to be a city and a town-dweller to be a citizen. They are unaware that it is houses that make a town, but citizens who make the City."

For Rousseau, the notion of participation is fundamental for the functioning of the city, of the association, because if opposite individual interests make the foundation of societies necessary, what assures their existence is agreeing on that common good identified as common interest, agreement whose attainment is assured by the power resulting from the general will. The general will is the executive for a legislative that, in Rousseau's expression, is the sovereign, but he does not really make any statement that would subsequently admit the institutional distinction between legislative and executive, in the way that Locke did, for example. Because for him the sovereign and the general will have the same physical support, that is the public person, the association, the city. However, how Rousseau sees the mechanisms of participation through the general will is what again markedly distinguishes him through his contribution to the development of the theory of democracy and what makes him our contemporary.

### **Participation as general will**

The representation Rousseau conducts in order to adequately explain the role of the general will and how it functions, adapts to the fields of politics the frameworks and the technical tools offered, on the one hand, by body dynamics in classical mechanics, and, on the other hand, by algebraic demonstration. The techniques alternate, revealing his ingenuity in

combining and applying what we would qualify in political science today as quantitative and qualitative methodology. The way the general will is, will thus be the result of a complex demarcation whose examination will expose the following: firstly it is, like we have already shown, another aspect of the indivisible sovereign because “a will is either general, or it is not; it is the will of the body of the people, or of a part only” (Rousseau 1999, 64). Between the general will of the body and that of a part, there is a fundamental difference because the latter represent a particular will, and represents at most administrative acts or particular institutional degrees, while the general will establishes law as acts of sovereignty. In the terms of contemporary democratic theory, the first category circumscribes collective and group decisions, while the latter category defines collectivized decision, namely that decision which is sovereign, without exit and sanctionable (Sartori 1987, 215). The general will is the equivalent of what Giovanni Sartori delimitates as collectivized decisions, meaning that category of decisions that “apply to, and are enforced on, a collectivity regardless of whether they are taken by the one, the few or the many. The defining criterion no longer is *who* makes the decisions, but their scope: Whoever does the deciding, *decides for all*” (Sartori 1987, 214). The only area in which collective decisions apply is the political one, of the sovereign in Rousseau’s terms.

A subsequent specification is important to understand the decision-making process developed by the general will: “That a will may be general, it is not always necessary that it should be unanimous, but it is necessary that all votes should be counted; any formal exclusion destroys the generality” (Rousseau 2002, 171). What Rousseau emphasizes here is the fact that there may be different opinions in the sovereign, but for it to find itself in the general will it is necessary that all opinions, all the citizens’ votes are articulated and numbered, otherwise the legitimacy of the decision is questionable. Therefore, Rousseau regards as necessary general participation and in no way, as it has often been interpreted, unanimity when counting the votes. Rather, he says, targeting Hobbes, unanimity can be composed of as many particular wills, representing private interests, through whose aggregation a political body is born that, generated by fear, leads to institutionalized slavery.

The quantitative limits given, Rousseau develops the qualitative, substantial explanation of what he understand by majority in the general will: how and under what conditions majority votes lead to political

obligations for those in opposition, without altering the sovereign, or, what is the same thing, leading to the loss of civil freedom. He tells us: "The constant will of all the citizens of the state is the general will: it is through the general will that they are citizens and have freedom. 'When a law is proposed in the assembly of the people, what they are asked is not precisely whether they accept or reject the proposal, but whether it is or is not in conformity with the general will, which is their will; everyone, by voting, gives his opinion on the question; and counting the votes makes the general will manifest.... This argument, it is true, presupposes that all the characteristics of the general will are present also in majority decisions; when they cease to be, whatever view may be adopted, liberty exists no longer" (Rousseau 1999, 138). The majority expresses the general will only when the play of individual options remains within the coordinates of what was operationalized through the general will as common good. In any other case, we do not have, in Rousseau's view, neither sovereign, nor general will or civil freedom. A maximalist, we would say today.

The previously analyzed quote contains another valuable element from the perspective of game theory, electoral or political behavior studies, namely how can we learn the meaning of the general will by estimating the preferences of the voters and how we can calculate voting results to infer that they reflect the general will through majority vote. Rousseau, as noted earlier, uses two methodological instruments: the aggregation of forces in a closed system represented by a perfectly solid and homogenous body, and the corresponding algebraic equation. The general will is the equilibrium function, or the one equaling zero, of the system. In the rest of the passage quoted referring to the distinction between general will and particular wills, it is specified that "if you take away from these [particular] desires their excesses and insufficiencies, the common element remaining from the different desires is the general will" (Rousseau 1999, 66).

The mathematical method of calculation that Rousseau specifies here was an innovation common at the time and to which he himself refers to in an explanatory note to the text of *The Social Contract*. He details, quoting the Marquis d'Argenson: "*Every interest has a different basis. Two individual interests agree when having a basis different from that of a third.*" He could have added," Rousseau (1999, 66) remarks, "that agreement between all interests is formed through their common basis, in contrast to the interest of each person. If there were no differing interests, we should scarcely be aware of the common interest, which would never meet any obstacle; everything would run by itself, and there would no longer be any skill in politics."

Here, as in the third book of the *Contract*, Rousseau present himself as perfectly knowledgeable of the meaning of the mathematical terms he uses with the accuracy offered by mathematical language in his time. The above quotes refer to the calculation of probability in voting systems and they reflect Rousseau's scientific-anticipative capacity: these see the light of day in 1762, the year *The Social Contract* is published, the remarkable precursor to the no less famous 1785 *Essay on the Application of Analysis to the Probability of Majority Decisions* by the Marquis de Condorcet. Condorcet himself started in his theoretical system from the concept of general will, but reaching a result that mathematically contradicted the hypothesis of the general will: the paradox his theory contains emphasizes the fact that a general will cannot be developed starting from individual wills. What can be done, however, is to achieve a profile of the media voter, a central concept in contemporary studies of political behavior, and which has a forerunner in the analysis of the general will following Rousseau.

When he imagined the general will, Rousseau was at a crossroads of European theoretical consciousness. In one direction of this crossroads was, following the path of pragmatic expenditure and discursive exhaustion, a fundamental conceptual entity for modern political thinking, that of natural law, of that law that governs human nature, of an essentially moral character, but ineffable when it comes to capturing it in everyday praxis, or fixing it in inferential causal frameworks. Defining general will as consensus, as a qualitative locus of the objective general interest, Rousseau discovered the way for that universal and objective moral law to become manifest. He strongly believed in the immanence of natural law as moral law and, the more difficult, but also tempting and provocative, it was for him, as for his predecessors, to show the way it manifested, in what contexts, and how one can act to remedy its alteration in society. However, as opposed to Hobbes and Locke, who in their time offered instead ways of legitimating the political changes taking place, Rousseau opens a completely different path by treating natural law as general will with the dual goal of establishing and explaining political emancipation. His solution for the survival of the concept of natural law is, as we have already seen, transplanting and treating it in the field of political behavior rather than in the moral field. If we read in this formula general will as majority, the odds are we will fail, together with Rousseau, in finding the solution for the survival of natural law. If, however, we interpret it, independently, in the general context of investigation and discovery in the social fields and especially in politics, there will be a radically different perspective and with

it we take the second theoretical direction of the previously mentioned crossroads, where Rousseau finds himself as an initiator and benchmark in the development of positivist political science, concurrent to the metaphysical position. Moreover, we observe Rousseau's gradual elaboration of a distinction between general will as a substance equal moral law, and general will as procedure equal freeing consent in society, that is to say, between the qualitative and quantitative dimensions of general will.

And them coming back to Schumpeter and his criticism of the *general will*, we realize he is referring to the qualitative aspect of the concept, that is, his argument is deconstructing general will only because he does not allow the normative, or the type of normative that Rousseau evokes, while he keeps silent about those procedural and quantitative aspects that Rousseau advances, and on the advanced trajectory of which Schumpeter himself will develop his own theory of democracy. Hence his alternative for what generates democracy: while for Rousseau general will is the effect of participation, for Schumpeter, general will is the result of the action of the elite, leaders that organize and elaborate the wills of the groups in society through the interaction between sectional interests and public opinion.

Therefore, the concept of general will is essentially a normative construct that arises from the maximalist demands claimed by Rousseau for his program of social and political emancipation. Because of this, he incurred the empirical-realist criticism of his successors. The study of the implementation mechanism of his high demands, as the methodology he employs, reveal Rousseau's positivist aspiration, and, combined with *The Social Contract's* ethos, have built the permanently revisited source of civic republicanism in the contemporary contribution of participative democracy. Concepts such as democratic citizenship, social capital, trust, are central to the theory of participative democracy, while other areas of political science such as political representation, organizational ethics, political institutions, are just as many open doors to happily revisiting with intellectual satisfaction Jean-Jacques Rousseau's captivating theoretical imagination.

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