Krakowskie Studia z Historii Państwa i Prawa
2017; zeszyt specjalny, wersja anglojęzyczna (english version), s. 39–61
doi:10.4467/20844131KS.16.034.6972
www.ejournals.eu/Krakowskie-Studia-z-Historii-Panstwa-i-Prawa

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*Liberty in Jean-Jacques Rousseau: between the Ancient and the Modern**

Abstract

Rousseau's philosophy can be situated as a continuum between the ancient and the modern traditions; we argue that it does not fully belong to either and this is particularly evident in his discussion of liberty. Our point of departure is a view that in order to grasp peculiarity of Rousseaus' understanding of liberty we need to go beyond the liberal tradition and its scheme of thinking about freedom as well as beyond the intuitive understanding of liberty. The second part of the article presents an analysis of the four different meanings of liberty that we find in Rousseau's theory: natural, social, moral and civil. The most important for political philosophy is his discussion of the shift from the natural to social and civil liberty and the insistence that true freedom cannot be totally separated from morality. Finally, we discuss some of the contemporary interpretations of Rousseau's political thought which often emphasize one of the different meanings of liberty that we find in his writings.

Key words: J.-J. Rousseau, liberty, republicanism, neorepublicanism.

Słowa klucze: J.-J. Rousseau, wolność, republikanizm, neorepublikanizm.

I

Jean Jacques Rousseau's political thought can be situated at the intersection of the ancient and the modern traditions. A half-way house, it can hardly fit the former due to its

* Polish text: *Wolność w ujęciu Jana-Jakuba Rousseau: pomiędzy starożytnymi a nowożytnymi*, "Cracow Studies of Constitutional and Legal History" 9 (2016), issue 2, p. 211–232.

Wydanie specjalnego zeszytu czasopisma: „Krakowskie Studia z Historii Państwa i Prawa" obejmującego przekład na język angielski wyboru najlepszych tekstów opublikowanych w roku 2016 finansowane w ramach umowy 508/P-DUN/2016 ze środków Ministra Nauki i Szkolnictwa Wyższego przeznaczonych na działalność upowszechniającą naukę.

Ministerstwo Nauki i Szkolnictwa Wyższego

distinctly novel concepts of social contract and the state of nature, nor can it be accommodated within the latter, in spite of having contributing a great deal to it. As a consequence Rousseau has been dubbed "the last of the ancients and the first of the moderns".[1] The problem of aligning him with other modern systems lies in the tension between his key conviction that man has been depraved by artificial civilization and rationalism – a thesis incompatible with any modern theory – and his affirmation of the republic and its functions. It is enough to note that Adam Ferguson, a leading light of the Scottish Enlightenment who was close the republican tradition, believed that the development of civil society was a manifest sign of the progress of civilization in all respects – social, political, economic; and not least in the general improvement of manners and refinement of taste. To arrive at this civilized state the society had to leave behind its natural "rudeness", or its primitive phase. Well aware of the vices and weaknesses of the commercial society, which gives greater scope to the articulation of individual rights and interests, Ferguson saw the cultivation of social and civic virtues as indispensable for the maintenance of social and political order. However, it should be pursued in such a way as not to undermine the liberal doctrine of individual rights and freedoms.

There is no better way of getting at the core of Rousseau's thought than by putting aside some of the worn-out theoretical preconceptions about freedom, especially those that are sustained by the liberal tradition and its clichés, because they are incompatible with the logic of Rousseau's argument. This is indeed the aim of the first part of this article where we claim that Rousseau's concept of liberty cannot be understood properly without a suspension of the liberal and intuitive approach to freedom, usually associated with action or the opportunity to act made possible by both the availability of a range of options and the unimpeded exercise of free choice.[2] In the second part of the article, which is central to our argument, we analyze the Rousseau's idea of liberty and its various meanings (it seems that he works with three or even four interlocking concepts of liberty). In the third and last part of the article we try to match these concepts with some of the contemporary interpretations of Rousseau's political philosophy. While focusing our attention on Rousseau's work, we must not completely disregard the factors that shaped it, ie. his complex personality, the story of his life, the character of his time and age, and finally his friends and adversaries.[3] Perhaps the main reason why Rousseau's oeuvre has prompted such diverse interpretations is the fact that it goes against the grain of the dominant modern and contemporary theory, rooted in the liberal tradition, and in effect eludes many of those conceptual categories of political philosophy that we take for granted. Meanwhile, though, the key role he accords to the idea of natural freedom and his abandonment of the teleological view of the universe can hardly be squared with classical republicanism. That being said, he does share a great many points of that doctrine, especially in his discussions of civil and democratic freedom. His approach is

[1] M. Qvortrup, *The Political Philosophy of Jean-Jacques Rousseau: The Impossibility of Reason*, Manchester–New York 2003, p. 105.

[2] I. Berlin, *Dwie koncepcje wolności* [Two Concepts of Liberty] [in:] *Cztery eseje o wolności*, Polish transl. by D. Grinberg *et al.* of *Four Essays on Liberty* [Oxford University Press 1969], Warszawa 1994, p. 191 (Note 12).

[3] Cf. M. Cranston, *Jean-Jacques: The Early Life and Work of Jean-Jacques Rousseau, 1712–1754*, New York 1983; and M. Cranston, *The Solitary Self: Jean Jacques Rousseau in Exile and Adversity*, Chicago 1997.

as far removed from stoicism with its affirmation of an inner freedom, or inner refuge, where man's spirit can hold out against all external pressures and afflictions, where one can feel free, even though one's hands and feet are chained as it is from those political theories doctrines that associate freedom with action, either in the public sphere (republicanism) or in private (the liberal tradition). Consequently, in getting to grips with Rousseau we cannot expect much help from Hannah Arendt's assertion that the philosophical tradition "distorted the very idea of freedom such as it is given in human experience by transposing it from its original field, the realm of politics and human affairs in general, to an inward domain, the will, where it would be open to self-inspection", ignoring the postulate that whenever we speak about freedom "the question of politics and the fact that man is a being endowed with the gift of action must always be present to our mind".[4] For Rousseau the idea of the state is not crucial; his argument is founded on the idea of human nature and its essential characteristics. In consequence, his concept of freedom eludes the distinction between negative and positive liberty, which is premised on the existence of an external factor interfering with or hampering one's exercise of free choice. As Isiah Berlin puts it, "I am normally said to be free to the degree to which no man or body of men interferes with my activity' and 'The defence of liberty consists in the *negative* goal of warding off interference".[5]

Now let's consider two 'typical' conceptualizations of freedom derived from the tradition of political thought, which, as we have indicated earlier, need to be suspended before embarking on an analysis of Rousseau' s doctrine. The first of them can be found in the republican tradition, preoccupied with the ideal of *civitas libera*, a free commonwealth, whose members are not subjects, but citizens, each of whom is his own master. To put this ideal into practice individuals need to enjoy freedom to act in the political domain and be able to participate in decisions about the norms that bind their community. The citizens, defined by Aristotle as those 'who share in the civic life of ruling and being ruled in turn', make freedom and equality real by virtue of being active (this argument reverberates in Rousseau's conception of civil liberty). As Arendt points out in Greek and Roman antiquity freedom was an exclusively political idea: "man could liberate himself from necessity only through power over other men, and he could be free only if he owned a place, a home in the world".[6] In this tradition it is the πόλις that provides the right place for the enactment of freedom: ancient liberty can only thrive in the public, political arena elevated over the entanglements of the private. Rousseau departs from that tradition because he takes as his premise the belief that man is born free, and not that he becomes free by virtue of adopting a social function. For Rousseau the norm is the original, innate human condition. However, unlike Locke, he does not treat freedom as one of the three fundamental, innate rights which drive the creation of a political community and government. While for the classical tradition the essence of freedom is political (as in the Aristotelian concept of citizenship), the liberal tradition associates freedom with privacy and individual choice. From the latter perspective freedom is not about being one's own master, but rather a matter of

[4] H. Arendt, *Co to jest wolność* [What Is Freedom] [in:] *Między czasem minionym a przyszłym. Osiem ćwiczeń z myśli politycznej*, Polish transl. by M. Godyń and W. Madej of *Between Past and Future: Eight Exercises in Political Thought* [New York: Viking 1968], Warszawa 2011, p. 178–179.

[5] I. Berlin, *Dwie koncepcje wolności* [Two Concepts of Liberty], p. 182 and 188.

[6] H. Arendt, *Co to jest wolność?* [What Is Freedom], p. 181.

personal independence which manifests itself in genuinely free choice, not oriented towards a predetermined goal. In effect, the problem of individual freedom, i.e. the ability to make use of natural rights without external constraint, boils down to the questions "What can I do? What is the scope of my free, unconstrained action?" Historically, the shift to a modern understanding of freedom, which dispenses with its natural element, the citizens' public sphere, followed the rise of the theory of individual rights and the growing acceptance of the liberal view of society as an aggregate of autonomous, decision-making individuals pursuing their own self-interests. It is only logical that once they have established the absolute priority of individual (private) freedom the liberals will be mainly preoccupied with safeguarding as wide a range of individual rights as possible from the encroachments of the state and other institutions of the public domain.

In spite of all that divides the classic republicans, the liberals and Rousseau, there is, at least, one thing they have in common. All of them – Aristotle and Cicero, Locke, and Rousseau – subscribe to the following proposition about freedom: free people (citizens) have no masters, but they are subject to the law. Yet Rousseau draws from it a different set of conclusions than the liberals do. He believes that man cannot be free unless he obeys himself alone, acts making use of his own reason and in general remains true to himself. Rousseau's is in fact the democrat's question, 'Who rules me?' rather than the liberal unease about the extent of external control over one's life. All of his analyses invariably start with the idea of man in the primitive state, untouched by civilization (*l'homme naturel*). He explains why it must be so is in his *Discourse on the Origin of Inequality Among Men*:

> […] it is not so much the understanding which creates the specific distinction between animals and man as it is his quality as a free agent. Nature commands every animal, and the beast obeys. Man experiences the same sensation, but he recognizes that he is free to obey or to resist, and it is above all in the consciousness of this freedom that the spirituality of his soul reveals itself.[7]

In his commentary on this passage Robert Spaemann notes that it contains 'neither any reference to Aristotle's teleological view of nature nor any hint of a possible interrelation between nature's goal and man's historical existence', and concludes that Rousseau's conspicuous disregard for the historical man results in "a reverse Carthesianism".[8] Indeed, the author of *Émile* is convinced that man's self-realization, or natural destiny, lies in a joyful experience of life. This experience (*pur sentiment de l'existence*) is like an art that one can 'teach oneself', but it is not cumulative: "The man who has lived the most is not he who has counted the most years but he who has most felt life".[9] Rousseau breaks away from the classical concept of nature as something fixed and static. Yet while he leaves behind the substance of the whole Platonic tradition, his method of inquiry is

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[7] J.J. Rousseau, *Rozprawa o pochodzeniu i podstawach nierówności między ludźmi* [Discourse on the Origin and Basis of Inequality Among Men] [in:] *Trzy rozprawy z filozofii społecznej* [Three Discourses in Social Philosophy], Polish transl. by H. Elzenberg, Warszawa 1956, p. 154 (subsequently referred to as *Rozprawa o nierówności*).

[8] R. Spaemann, *Rousseau – człowiek czy obywatel. Dylemat nowożytności*, Polish translation of *Rousseau – Mensch oder Bürger: Das Dilemma der Moderne* [Stuttgart 2008] by J. Merecki, Warszawa 2011, p. 37.

[9] J.J. Rousseau, *Emil, czyli o wychowaniu* [*Émile, or On Education*], Polish transl. by W. Husarski, Vols. I–II, Wrocław 1955, p. 15 and 16.

not dissimilar from Plato's.[10] Like Plato he focuses on an ideal object, i.e. a project of a political order which does not exist and can only become reality on condition of a radical change in man himself. Rousseau's primary objection is philosophical. He wants to re-examine and resolve the conflict between culture and nature. His approach rests on a pair of astounding propositions: that evil is alien to human nature – man is born good with a natural desire for harmony – and that vice and error are engendered by institutions of society. This bold political project is not a reform draft but a radical critique of the very foundations of the traditional social order. It carries a promise of a new order, based on different principles that would help restore a primeval freedom and harmony. Let's now take a look at the main points of this project in which the idea of freedom plays a key role.

II

For Rousseau there is no other value as important as freedom, and if we were to identify an idea that dominates all his work it would have to be freedom. Rousseau was by no means reticent in explaining and discussing it, and yet its critical reception is wrapped in argument and never-ending controversies. It is no exaggeration to say that the diversity of interpretations of Rousseau's concept of freedom is simply staggering. Before venturing into that battlefield, we are going to outline a frame that would embrace all of Rousseau's meanings of freedom and help us situate the most baffling or controversial points in that field.

Rousseau himself introduces his multifaceted concept of freedom in a direct and comprehensive manner in *The Social Contract*.[11] It is there that we find the characteristic epithets that describe three kinds of liberty – natural, social and moral.[12] As their very sequence reveals the specific nature of Rousseau's understanding of freedom, including its tensions and evolution, they will be discussed here in that order.

Natural (or, innate) freedom is the earliest and at the same time most fundamental. It belongs to every member of the human race and is an inalienable part of that essential humanity which distinguishes man from all other creatures.[13] It is this essentialist understanding of freedom that separates Rousseau from the liberals. The liberal doctrine reduces freedom to a sum and scope of individual rights. In the eyes of Hobbes and Locke man *has* (*possesses*) freedom and makes use of it to pursue his ends. He can give a part of it to somebody else (Locke), or give away all of it (Hobbes) in exchange for some

[10] Cf. J. Shklar, *Men and Citizens: A Study of Rousseau's Social Theory*, Cambridge 1969, p. 9–10.

[11] J.J. Rousseau, *Umowa społeczna* [*The Social Contract*], Polish transl. by A. Peretiatkowicz, Kęty 2002.

[12] Cf. *ibidem*, p. 23. In the original: *liberté naturelle*, *liberté civile*, and *liberté morale*.

[13] For Rousseau "any animal [is] but an ingenious machine, to which nature hath given senses to wind itself up, and to guard itself, to a certain degree, against anything that might tend to disorder or destroy it. I perceive exactly the same things in the human machine, with this difference, that in the operations of the brute, nature is the sole agent, whereas man has some share in his own operations, in his character as a free agent. The one chooses and refuses by instinct, the other from an act of free-will". Cf. *Rozprawa o nierówności* [*Discourse on Inequality*], p. 153.

other benefits. For Rousseau man *is* free and cannot trade away even a portion of his freedom without suffering an ontological degradation and dehumanization. The essence of enslavement (i.e. the state of being unfree) is the dependence on others in a situation when one's needs are greater than one's capability to satisfy them. It is exemplified in the condition of an infant, unable to do without others. A striking development of this argument can be found in *Émile*:

> We were made to be men: laws and society have plunged us once more into childhood. The rich, the nobles, the kings are all children who, seeing that men are eager to relieve their misery, derive a puerile vanity from that very fact and are very proud of care that one would not give to them if they were grown men.[14]

In this passage Rousseau turns upside down our perception of the human condition. A higher position in the society and an apparently greater power over others lead, according to the logic of his argument, to the loss of self-sufficiency and, in effect, to the forfeiture of freedom by those who have climbed the social ladder. The famous opening sentence of *The Social Contract* 'Man was born free, and he is everywhere in chains' is more than a statement of fact.[15] It is a reminder that not only mankind's true nature is to be free but also that it should be possible to break the chains and return to the realm of freedom.

Eulogies of natural liberty feature most prominently in Rousseau's two treatises, written at the outset of his career, *Discours sur les sciences et les arts* and *Discours sur l'origine de l'inégalite parmi les hommes*. The former was awarded the first prize in a competition of the Académie de Dijon and gained him considerable fame (though in the original publication in 1750 he hid behind the sobriquet *Un citoyen de Genève*).[16] The latter, *Discourse on the Origin of Inequality*, published in 1755, was the product of the same mind, and yet, it seems, not unaffected by the highly polarized reception of its predecessor. If the descriptions of the First Discourse seem to indicate that the history of mankind actually began in an idyllic state of nature, those of the Second Discourse suggest that the primeval Arcadia is just a hypothesis.[17] This modification was most probably influenced by the criticism of his First Discourse, but it did not alter significantly Rousseau's vision of the state of nature. So the speculations he enters into in his Second Discourse seem to assume at least a certain degree of reality to the human condition at the beginning of time: "religion does not forbid us to draw conjectures solely from the nature of man, considered in itself, and from that of the beings which surround him, concerning the fate of mankind, had they been left to themselves".[18]

The conditional opens up a window on the primeval man, fresh from nature's mint, strong and healthy, because his body is the only wherewithal to supply his needs; he

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[14] J.J Rousseau, *Emil* [*Émile*], Vol. I, p. 78.

[15] J.J. Rousseau, *Umowa społeczna* [The Social Contract], p. 11.

[16] J.J. Rousseau, *Rozprawa o naukach i sztukach* [Discourse on the Sciences and Arts] [in:] *Trzy rozprawy z filozofii społecznej* [*Three Discourses in Social Philosophy*], transl. by H. Elzenberg, Warszawa 1956.

[17] Cf. *Rozprawa o nierówności* [Discourse on Inequality], p. 141: "The researches, in which we may engage on this occasion, are not to be taken for historical truths, but merely as hypothetical and conditional reasonings, fitter to illustrate the nature of things, than to show their true origin, like those systems, which our naturalists daily make of the formation of the world".

[18] J.J. Rousseau, *Rozprawa o nierówności* [Discourse on Inequality], p. 142.

is also perfectly happy because he lives fully within his means. Modest needs and the capability to satisfy them by one's own efforts are the two conditions of perfect freedom.[19] It goes hand in hand with equality for even if it is admitted that individuals differ from one another (in physical strength, character, etc.) these differences are not used as a means to establish relationships of dependence and superiority. Thus, what ultimately makes Rousseau's idea of natural liberty special is its exclusive focus on self-sufficiency, reflected in the self-assuredness of each individual getting on with his life. This freedom becomes a means of self-realization and a safeguard of natural self-love (*amour de soi*), a sentiment which keeps at bay all kinds of existential fears and anxieties.[20] Endowed with such unfailing self-reliance individuals in the state of nature cannot be but friendly disposed to everybody. Nor would they do harm to anyone, although their behavior can hardly be called moral.[21] The only sentiment with a moral ring to it in Rousseau's state of nature is compassion (*pitié*); it ennobles its subject even if he does not act to help the less fortunate and the weak. In general Rousseau's self-reliant human being does not seek the company of other men unless he is compelled to it by natural disasters or hard times.

Men draw together because they are threatened by nature.[22] The cause-effect mechanism of that reaction is clear and natural; it is a necessary consequence of man's dependence on the world of things[23] and therefore does not diminish his innate freedom. Unfortunately, the transformation of the solitary way of life to one pursued in more permanent associations (groups) took mankind down the road of enslavement. The process is reconstructed at length in the central part of the *Discourse on Inequality* (Rousseau blames rise of inequality made possible by the growth of social ties for the gradual disappearance of freedom).[24] Rather than scrutinize his argument, elaborated and nuanced throughout his oeuvre, we will try to identify and outline the constitutive elements of his concept of liberty.[25]

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[19] In the state of nature the weak who cannot fend for themselves simply die: "Nature treats them exactly in the same manner that Sparta treated the children of her citizens; those who come well formed into the world she renders strong and robust, and destroys all the rest", *ibidem*, p. 145.

[20] Thomas Hobbes writes persuasively about the power of such fears in the state of nature; Rousseau, of course, rejects Hobbes's view outright.

[21] If only because morality requires discrimination and the availability of choice between good and evil.

[22] The structure of this argument indicates that the conjecture is used as a means to an end – the reconstruction of fact, or 'what must have happened'. Although Rousseau explicitly accords the state of nature a hypothetical status, his reasoning not infrequently belies those assurances. His conjectures tend to become instruments of deduction and inference, often based on travellers' accounts of primitive societies.

[23] In Emile's education physical objects are put in the boy's way to engage him and reawaken in his mind the natural understanding of the way the categories of necessity and need operate in nature. Cf. *Emil* [*Émile*], Vol. I, p. 78 and 84–85.

[24] By establishing a clear, inherent connection between liberty and equality Rousseau became the founding father of the democratic tradition, opposed, as a matter of principle, to liberalism with its concept of freedom based on the acceptance and respect for inequalities (a no less respectable tradition thanks to figures like Alexis de Tocqueville). As the system we live in is called 'liberal democracy' we should not look away from all the theoretical and practical problems, especially the sensitive relationship between equality and liberty, that are intrinsic to such a compound.

[25] Rousseau restates and develops his main themes in virtually all of his works, using condensed formulas and "shorthand" references (to avoid repetition, as he sometimes explains). That practice makes interpretation difficult because the critic not only has to know all of Rousseau's writings to see the continuities and connections but also has to decide how much of that context is actually relevant. In the case of *The Social Contract*, a relatively short and succinct work, the need to consider its broader contexts seems fairly obvious.

So far in this account reason has nowhere been mentioned although for most philosophers it is reason that distinguishes man from the animals. This omission has its own justification in Rousseau's thought, not least because he finds the relationship between human nature and reason far more complex than his predecessors.[26] "I felt before thinking: this is the common fate of humanity", he wrote in the *Confessions*.[27] At first reason exists only as a latent human faculty.[28] It can be awakened and activated solely by experience: exposed to a stream of stimuli it becomes a tool that enables man to cope much better with the challenges of his environment. If it continues to function in that way, guided by the natural sentiments (happiness resulting from being free and natural self-love), it may become man's most precious implement in his struggle to supply his real needs. Used properly, reason should serve the purpose of self-improvement. However, it can also easily change course – to use a modern distinction – and become more preoccupied with 'having' than 'being'.[29] Or, because of its potential for deviation, 'the mind depraves the senses'.[30] As a result man gradually loses touch with nature and is no longer able to enjoy the true happiness that comes with freedom. Since, however, he still feels the need to be happy, he begins to look for other means of satisfying that desire. And, in a world where interpersonal relations have become more intense, he discovers that what he relishes most is other people.[31] That process, replicated on a large scale, triggers off rivalries and gives rise to new, unnatural (hence fatal to freedom) feelings. They include envy, ambition, and a haunting fear of not being able to satisfy one's needs. The destruction of the harmonious world of the state of nature is further accelerated by the establishment of private property, and especially the private ownership of land (transition to a settled life form cemented the ties between individuals and ushered in the new epoch of civil society). Rousseau captures that moment in a graphic description:

> The first man, who, after enclosing a piece of ground, took it into his head to say, "This is mine", and found people simple enough to believe him, was the true founder of civil society. How many crimes, how many wars, how many murders, how many misfortunes and horrors, would that man

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[26] He states unequivocally in *Discourse on Inequality* that what distinguishes man from other creatures is not reason, but freedom. Cf. *Rozprawa o nierówności* [Discourse on Inequality] p. 152.

[27] J.J. Rousseau, *Wyznania* [Confessions], Vol. I, Polish translation by T. Boy-Żeleński, Warszawa 1931, p. 36. The claim that reason (as well as language and writing) is secondary to feelings and the 'truth of the heart' is repeated time and again in Rousseau's works and correspondence. He also appeals to his readers to study his words not for their argumentative content but in the context of the author's personality, including his private life. Cf. J. Starobinski, *Jean-Jacques Rousseau. Przejrzystość i przeszkoda oraz siedem esejów o Rousseau*, Polish translation by J. Wojcieszak of *Jean-Jacques Rousseau, la transparence et l'obstacle. suivi de Sept essais sur Rousseau* [Paris 1971], Warszawa 2000.

[28] This is why Rousseau is so critical of paedagogical philosophies, including that of Locke, which regarded the child as a 'little adult' whose reason only waits to be activated. Nor does he think much of education understood as the transmission of knowledge. Rousseau is a great believer of education as an upbringing which exposes the pupil to direct sensory experience. The truth should be felt before it is interpreted.

[29] A distinction made by Gabriel Marcel, and developed by Erich Fromm. Cf. E. Fromm, *Mieć czy być?*, Polish transl. by J. Karłowski of *To Have or To Be* [New York 1976] Poznań 1989.

[30] J.J. Rousseau, *Rozprawa o nierówności* [Discourse on Inequality], p. 152.

[31] Or more precisely, one is impressed by the things that other people surround themselves with or can make or do. It would make one happy, i.e. satisfy one's needs, to be able to have them. The ensuing appropriation and possession can then function as a source and an index of happiness. Its connection with "things" makes it more tangible than an inner feeling of happiness that cannot be checked or measured.

> have saved the human species, who pulling up the stakes or filling up the ditches should have cried to his fellows: Be sure not to listen to this imposter […].[32]

Although the author of the *Discourse on Inequality* does not acknowledge it, the first who said 'This is mine' was Locke's natural man.

In fact, both philosophers describe the history of mankind in a similar manner, but disagree strongly in their evaluation of that process. Contrary to Locke, Rousseau sees in the increase of rational co-operation aimed at maximizing individual profit both a sign and proof of man's degeneration. In this type of co-operation joint endeavours and friendly collaboration is replaced with brutal competition, barely disguised by networks of mutual dependency. Natural *amour de soi* is supplanted by *amour-propre*, self-love which depends on the opinion of others. The latter concept chimes in with both the Christian tradition – where it is a synonym of the various manifestations of pride, from showing off to the desire of being equal to God (so for instance in Pascal who was highly esteemed by Rousseau) – and the moral critique of private property (the connection is reinforced by the word *propre*, "one's own"), and in particular the never-ending growth of perceived individual needs that spurs everybody to accumulate more and more to fulfill them.

If we accept the premises of Rousseau's description of natural freedom, we can hardly disagree that the drive to accumulate property (especially landed property) must doom everybody to bondage. I can either increase my wealth by my own labour – which means that I have to work harder, an unnecessary exertion from the point of view of satisfaction of my natural needs.[33] Alternately, I can use other people's labour, but that requires bringing them under my power – which means that the burden of unfreedom which weighs even heavier on everybody (including me for the increased dependence on others is the reverse of my own enfeeblement). A pessimistic conclusion is thus unescapable: the price for the emergence of society is paid in human degradation. Moreover, all its products (the state, its institutions and its law) got tainted the moment they were born. The blame for this calamitous development falls for the most part on ill-used rational minds. This conclusion will have far-reaching implications for Rousseau's political theory. To make sure that his projected state is not undermined by individuals pursuing their own advantage he introduces the corrective measure of the general will. It is a rational common interest which takes shape in the process of clearing the body politic from the impurities of selfish and sectional interests.[34]

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[32] J.J. Rousseau, *Rozprawa o nierówności* [Discourse on Inequality], p. 186.

[33] They are not only unnecessary but also oppressive. If one's needs are kept within bounds, there is room for a 'natural idleness' (*l'oisiveté*) that Rousseau was very fond of. He speaks in praise of *otium* on numerous occasions, as for example in his *Essay on the Origin of Languages* (*O pochodzeniu języków*, Polish transl, by B. Banasiak, Kraków 2001, p. 61); the *Confessions* (*Wyznania*, Vol. II, p. 447); and the *Reveries of the Solitary Walker* (*Przechadzki samotnego marzyciela*, Polish transl. by M. Gniewiewska, Warszawa 1967, p. 186). Rousseau's *l'oisiveté* is not so much "doing nothing" as doing that which gives one immediate satisfaction. So he would certainly appreciate recreational sports and physical activities that help you stay fit, but would spare no good word for competitive sports in which exertion is a means to obtain delayed gratification (medals, trophies, prestige, etc.).

[34] At this point it is worth mentioning one of Rousseau less known works, though by no means unimportant – *Lettres écrites de la montagne* (Letters Written from the Mountain) published in 1764 r.,

Rousseau believed that in his day people all over the world were in bondage – both the aristocrats who assumed they were the privileged master class as well as those who were compelled to obey and serve. The only *man* alive in that all too human world was Jean Jacque Rousseau himself.[35] Yet he found little satisfaction in savouring the taste of freedom all alone. Determined to reach out to others with his emancipatory message, he embarked on a grand political project even though it meant abandoning philosophy for political philosophy and legal theory. It was no easy task. If natural freedom was set up as a criterion of true humanity, its essential characteristics had to be kept intact. Yet, at the same time it had to be adjusted to fit a humanity that had moved from an amoral and asocial state of nature to a new social and moral life form. We can find out most about that project from *The Social Contract*, though nearly as important are his *Considerations on the Government of Poland* and the *Constitutional Project for Corsica*.[36] More insights can be gained from the *Reveries of the Solitary Walker* and, of course, *Émile, or On Education*. Although Rousseau's ground-breaking project was extraordinarily interesting on the level of theory, its implementation in the real world soon ran into grave difficulties, both philosophical (or even logical) and practical.

First of all, Rousseau had to tackle the "problem of a new beginning", a stumbling block of all radical visionaries who decried the suppression of 'true' human nature by the established order and called for its replacement by a new reality, cleansed of old falsehoods.[37] The questions any revolutionary project has to answer refer to the method and the chances of a successful transition from the bad old system to the new one. A step-by-step reform is ruled out in principle (it is a revolution) and to avoid instability the new order must not be built on old foundations. However, the postulate of a total break with the status quo opens the revolutionary to the charge of ignoring the empirical conditions upon which the success of the revolution will depend; indeed, it is reasonable to expect that a successful introduction of a new order will not be possible unless it comes *deus ex machina* in the form of a new state. This conundrum looks too hard to crack, and Rousseau is no better at solving it than anybody else. It is echoed in the hesitations of the founders of modern republics: can they give the legislative functions into the hands of the citizens or should they rather have the fundamental principles and primary norms cast in stone by expert jurists.

Another difficulty which besets all attempt at formulating a credible political project on the basis of Rousseau's philosophical blueprint concerns the relationship between the state of nature and the new social order. His nostalgic evocations of the ideals of classical antiquity suggests that the call 'return to nature' could be treated almost literally as an attempt to revive the simple life and austere value system from the beginnings of

especially Letter VI, which outlines the main points of *The Social Contract*; http://www.rousseauonline.ch/pdf/rousseauonline-0028.pdf [access: 12 December 2015].

[35] The civilized society had no room for "the natural man" and replaced him with a "human man", or *l'homme de l'homme*. Cf. B. Baczko, *Rousseau: samotność i wspólnota*, Warszawa 1964, p. 141ff [*Rousseau, solitude et communauté*, French transl. by C. Brendhel-Lamhout, Paris 1974].

[36] J.J. Rousseau, *Projekt konstytucji dla Korsyki* [Constitutional Project for Corsica], Polish transl. by M. Blaszke, Warszawa 2009.

[37] It was a problem encountered earlier by Plato. After the implementation of the project of his ideal state in Syracuse ended in failure, he went to work on "a second best" system. The abandonment of the original project illustrates the vulnerability of grand theories confronted with empirical reality.

European civilization. This interpretation is made plausible by numerous passages from his work where he eulogizes the simple farmer, whose life and work is closest to the ideal of supplying one's needs in a natural way, the pleasures of 'natural idleness', and the pastoral joys of communal rustic celebrations. Yet, Rousseau's work is also open to another interpretation, skeptical of the 'return' imperative or the epitomic importance of classical antiquity. This alternate interpretation insists that central to Rousseau's project is the idea of uniting discordant individuals in a state in which the pooled human potential would be used to create an ideal civil society. Rousseau's state would then mark a new chapter in the history of mankind, bringing people back from the wasteland of civilization onto the path of good life and true morality. This is, for example, the gist of Immanuel Kant's reading of the intentions of the author of *The Social Contract*. Not surprisingly the disparities between rival interpretations of Rousseau's thought make the task of clarifying the relationship between various types of liberty all the more difficult. So, depending on one's interpretative stance, it is possible to see moral freedom as the recovered natural freedom (on the premise that for Rousseau the word freedom always has the same meaning, while the adjectives merely describe the conditions of its realization), or, to treat each of the three liberties as an element in a graded sequence (moral freedom would then be the fullest or the perfect type of liberty).

The problems of interpreting Rousseau's thought are in a way insurmountable, and yet it continues to attract new research. What perhaps all of his devotees and critics need to remember is that Rousseau himself readily admitted to incoherence, and even treated it as a virtue. He believed that reason is incapable of explaining the nuances of the human condition and studying it in a systematic way, step by step, only adds to the apparent confusion. The pursuit of truth must combine rational analytical discourse and universal empathy. In short, to develop an understanding of Rousseau we have to – before anything else – get a *feeling* of what he had to say. Analysis has to go hand in hand with an apprehension of the whole.

The tenets of Rousseau's political philosophy are well known. He believes that the state came into being as a result of contract, but unlike other contractualists he insists that it can in no way limit the freedom of individuals since the goal of the contract is to protect their freedom. In his state power is exercised according to the rule of law.[38] The Rousseauian republic is a democracy – its citizens enjoy the constitutional guarantees of freedom and equality – but in respect it differs significantly from the classical model of that form of government. Whereas in ancient Athens the sovereignty of the people (democracy) was exercised by majority rule, in Rousseau's republic that sovereignty is manifested in the general will, which does not depend directly on numbers. Even though there are few ideas as contested as *la volonté générale, and dispite the fact that* the author himself found it difficult to explain what exactly he meant by that phrase, it

[38] Rousseau explains that the name "republic" (*res publica* can be translated as "commonwealth") does not determine the system of government – it can be a democracy or a monarchy as long as it guarantees the principle of the sovereignty of the people. The latter, according to Rousseau, is indivisible even if th competences of government are departmentalized. So, for example, in the right type of monarchy the king and his administration are public servants (and not the sovereign). Cf. J.J. Rousseau, *Umowa społeczna* [The Social Contract], p. 36.

guarantees the integrity of Rousseau's concept of freedom.[39] It also guarantees the continuity between the innate freedom from the state of nature and the novel social freedom. Moreover, it helps us understand why Rousseau, who always looked for inspiration to classical antiquity, praised Athens, but was partial to Sparta.

For Rousseau subjection to the will of any other person, even if that person knows better what is good, amounts to bondage or enslavement (both words refer to the same, undifferentiated condition of unfreedom). The act of bowing to the will of the majority is no different, at least in the light of his black-and-white approach. Were we to nuance his stark binary opposition by bringing in a term like 'domination' (or more precisely 'fear of domination'), the list of Rousseau's liberties could be expanded by adding one more, the republican freedom. In general, however, the introduction of the general will, regardless of its republican connections, is good strategy. It allows Rousseau to avoid the charge that to construct his state he has compromised one of his fundamental ideas – the tenet that drives the argument of the *Discourse on Inequality* and makes for the originality of the educational project in *Émile*. While the great majority of his critics get absorbed by the problems that surround the idea of *la volonté générale, they tend to* overlook its role in maintaining the overall consistence of Rousseau's philosophy.

The premise that you cannot give up your freedom without giving up your humanity is also crucial to Rousseau's formula of the social contract, which stands in direct opposition to the absolutist conceptions of Hobbes and Grotius. Rousseau insists that proper protection of everybody's freedom and property requires a special form of association that should "enable each member of the group to obey only himself and to remain as free as before". This stipulation went down well and even became, *nota bene*, an inspiration for Immanuel Kant's concept of moral autonomy. However, neither liberals nor conservatives could possibly approve Rousseau stipulating "the total alienation of each associate, together with all his rights, to the whole community; for, in the first place, as each gives himself absolutely, the conditions are the same for all; and, this being so, no one has any interest in making them burdensome to others".[40] The society created by a pact of all by all should lay down conditions that will be the same for all the contracting parties; it is a common and moral body politic whose unity will be guaranteed by the general will. It leaves no room for any individual or personal rights that would undermine its unity; nothing must stand between the individual and the whole. Thus, the new commonalty is neither a nominalist society nor an aggregate of individuals, but a 'public person' endowed with a will of its own.

In regard to freedom two clauses of the contract are absolutely crucial. The first explains that its terms "when they are well understood, can be reduced to a single stipulation: the individual member alienates himself totally to the whole community together

[39] This assessment does not imply that even that element of Rousseau's project can be found coherent. If anything, the opposite is true. His attempts to explain how the general will manifests itself and how can be sure that it is the general will (since numbers, or the vote count, are immaterial) simply abound with consistencies. Cf. F. Neuhouser, *Freedom, Dependence and the General Will*, "Philosophical Review" 1993, Vol. 102, p. 363–395 and G. Sreenivasan, *What is the General Will?*, "Philosophical Review" 2000, Vol. 109, p. 545–581.

[40] J.J. Rousseau, *Umowa społeczna* [The Social Contract], p. 20–21.

with all his rights".[41] If things had been left it at that, Rousseau's state would have differed little from Hobbes's Leviathan. But Rousseau goes further to declare that "each man, in giving himself to all, gives himself to nobody […] as there is no associate over whom he does not acquire the same right as he yields others over himself".[42] The meaning of the social contract can be explained metaphorically by the following two-act story. In the first round a group of people pour their individual freedoms into a communal bowl where they get mixed and lose their individual character and in the second round everybody is given back an equal portion of the stuff in of the bowl. In effect, each person gets back as much freedom as he has given away, the same in substance, but *not* the same in so far as it is *a blend*. It contains the freeedoms of everyone else, and the original freedom is dispersed in all members of the body politic (the sovereign). Thus, a citizen who stands up for his new freedom defends the freedom of all and can expect everyone else to join him.[43] Provided the pooling and management of individual resources is well organized, the new state will greatly benefit all its citizens by maximizing the means of overall need satisfaction and the means of securing everybody's freedom.

Whereas in the state of nature there is a multitude of individual wills, in the new state individual wills combine and blend to produce a single, general will.[44] It is general in two senses: it is derived from each individual will, and at the same time as the general will it resides in every citizen. From the philosophical point of view the distinction is clear, but it is not at all easy to translate it into the language of politics and law. This situation has prompted a great deal of critical comments blaming Rousseau, often rightly, for opaqueness or inconsistency. The issue that has attracted most doubts is the emergence of the general will in the new state. According to Rousseau the general will is neither the will of the majority nor even the will of all, though he seems to care for numbers. He believes that under the good laws the citizens of the new state will be conditioned to feel and judge in a similar manner until their hearts and minds act in complete uniformity.[45] However, he also believes that the good laws must come from a distinguished and wise Legislator who

> ought to feel himself capable, so to speak, of changing human nature; of transforming each individual, who is by himself a complete and solitary whole, into part of a greater whole […] and of substituting a partial and moral existence for the physical and independent existence nature has conferred on us all.[46]

His position in the state should be defined by "neither magistracy, nor sovereignty", but his sense of mission.[47] Interestingly, Rousseau did not hesitate to take on the role of *the legislator himself when in all seriousness he decided to write a draft constition for*

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[41] *Ibidem*, p. 19.

[42] *Ibidem*.

[43] The way in which the community exerts pressure on all and everybody to make them free can perhaps be explained by analogy to the phenomenon of level equalization in communicating containers, regardless of their shape or size. The liquid reaches each vessel and fills it up to the same level.

[44] J.J. Rousseau, *The Social Contract*, Book IV, Part 1.

[45] Rousseau treats equality – as a condition of freedom – downright literally. He believes rightly that it grows as people begin to look like one another not because of their actions, but because of what they are.

[46] J.J. Rousseau, *Umowa społeczna* [The Social Contract], p. 37.

[47] *Ibidem*, p. 38.

Corsica.[48] Later however he would call it his Utopia, which implies that he grew skeptical about the project.[49]

There are more discrepancies in Rousseau's presentation of the general will, but there is no need to discuss them here. Instead, let's consider the consequences of incorporating the general will in law regardless of the manner in which it has been done. The signatories of the contract are now cast in a double role: they participate in government (and as citizens constitute the sovereign) and at the same time they are subject to the law.[50] This formal dualism determines the nature of the social freedom, which, in conformity with contemporary trends, could as well be called 'republican' freedom.[51] As Rousseau explains the transition from natural freedom to social freedom requires the renunciation of "an unlimited right to everything one tries to get and succeeds in getting" in return for the aid of the general will and "the proprietorship of all he possesses".[52] He sees the transition as a kind of exchange involving *compensations* (ie. compensation, reparation for loss or damage). The use of that word suggests that the balance of one's rights does not change after joining the community. At the same time we are told unequivocally that social freedom is limited by the general will. It could mean that social freedom is attached not to citizenship but to the role of the subject of the law. The difference is important. *Qua* citizen I can participate in the process of finding out the general will, which 'is always right'.[53] In the character of the subject my duty is to obey. However, owing to the overlap of the two roles, at a deeper, ontological level the subject's obedience is identical with freedom itself. Any other conclusion would be open to contradiction as one may ask how a person unable to control oneself can be called free.

Social freedom manifests itself in obedience to the law even if individual self-interest or one's understanding of a given situation prompts noncompliance. Rousseau's answer to doubters and dissidents is uncompromising: "whoever refuses to obey the general will shall be compelled to do so by the whole body. This means nothing less than that he will be forced to be free".[54]

Compelling people to be free may be necessary, especially in the early days of the new state. It is so because "our will is always for our own good, but we do not always see what that is".[55] Besides, after a long phase of retrogression, the return to a nature cannot be easy or free from occasional setbacks.[56] They, however, must not be allowed to

[48] The intriguing circumstances that led to the writing of this book are discussed by Marek Blaszke in his Introduction to J.-J. Rousseau, *Projekt konstytucji dla Korsyki* [Constitutional Project for Corsica], p. 7–36.

[49] *Ibidem*, p. 17. More on this point in Chapter VI titled "Freedom and utopia" in B. Baczko's *Rousseau: samotność i wspólnota* [Rousseau, solitude et communauté].

[50] J.J. Rousseau, *Umowa społeczna* [The Social Contract], p. 20.

[51] Rousseau uses the term *liberté civile*; the standard English equivalent is 'civil liberty'. However, in contemprary contexts this phrase can all too readily be associated with just a bundle of civil rights, aka the first-generation human rights. So, to foreground the broader meaning of Rousseau's term we have decided to use the phrase "social freedom", following the Polish translation of the *Social Contract* and some English texts.

[52] J.J. Rousseau, *Umowa społeczna* [The Social Contract], p. 23.

[53] *Ibidem*, p. 28.

[54] *Ibidem,* p. 22.

[55] *Ibidem*, p. 28.

[56] Here "return to nature" equals "restoration of man's untarnished nature" rather than going back to the state of nature.

disrupt the functioning of the whole community. People's long-standing cultural habits cannot be changed in a day; nor will it easy to bring their passions, fed by *amour-propre*, or their selfish reasoning under the healing sway of natural feelings. Rousseau knows very well that man's character is the product of upbringing, which in virtually all human societies is riddled with falsehood and error. Therefore one cannot expect that people will put away their old habits in no time at all. In the fight for freedom it is not enough to rebel against enslavement; it is necessary to make sure that nobody (i.e. any of the new citizens) is allowed to wreck what has already been won. The relationship between the state and the individual in Rousseau's doctrine can best be illustrated by analogy to the teacher–pupil relationship in *Émile*. There the tutor commits himself to respect, above all else, the freedom of his pupil, and yet keeps exposing all his faults and weaknesses with absolute frankness. A similar ambivalence inheres in the conduct of the Rousseauian state: it is committed to the protection of the freedom of its citizens while at same time keeps them in dependence on itself. Before examining the implications of that observation (which seem to confirm the judgments of Rousseau's liberal critics), let us pause over a claim which reveals a great deal about Rousseau's own approach. As Émile's tutor is told to keep the child dependent *only* on things, things are essential in maintainting the dependence of the individual on the state. The proof of the importance of things at all levels of Rousseau's political project can be found in the following quotation from *Émile*:

> If the laws of nations could, like those of nature, have an inflexibility that no human force could ever conquer, dependence on men would then become dependence on things again; in the republic all of the advantages of the natural state would be united with those of the civil state, and freedom which keeps man exempt from vices would be joined to morality which raises him to virtue.[57]

The goal of a teacher is to help a child develop aptitudes that would assist it on the road to maturity and the fullness of humanity. The state's role with respect to its citizens is similar. It may be noted here that Rousseau's chief political concern is the development-enhancing functions of the state: it manifests itself in his favourite themes, e.g. the principle of federalism which strengthens society's self government, the advantages of direct democracy, institutions of the Roman Republic, and the usefulness of civil religion. The common characteristic of all the concrete measures he endorses is that they motivate individuals to participate in public life.

Thanks to active participation in the life of the community social freedom in which every citizen shares, but which he, as a subject, can view (and often views) as external coercion, may in time become moral freedom, the most perfect of all other kinds of freedom. Its impact on man is summed up in this key quotation: "[it is] moral liberty, which alone makes him truly master of himself; for the mere impulse of appetite is slavery, while obedience to a law which we prescribe to ourselves is liberty".[58] Although Rousseau does not write a lot about moral freedom, it is the keystone of his philosophy of freedom.

Moral freedom does not emerge spontaneously in a well-organized state. It takes root gradually in conjunction with the operations of the general will. The latter works stead-

[57] J.J. Rousseau, *Emil* [Émile], p. 78.
[58] J.J. Rousseau, *Umowa społeczna* [The Social Contract], p. 23.

ily but needs time to eliminate the errors accumulated over the long history of mankind and enable each individual to regain its original, true human nature. It should even, in a sense, change it without impairing its freedom. At any rate freedom (natural or moral) invariably remains Rousseau's driving force affecting the balance of needs and means of their satisfaction. While in the state of nature the individual had to restrain his needs to fit his limited capabilities, the cumulate resources of the new state can satisfy more needs more effectively. The momentum, which "makes social union invincible",[59] also makes all individuals, even the idlers, want to be a part of it. In the state of nature idleness was freedom's ally in so far as it dampened ambition and helped preserve equality. In the new republic equality is protected by law while idleness can no longer be justified. Rousseau explains:

> Outside the pale of society, the solitary, owing nothing to any man, may live as he pleases, but in society either he lives at the cost of others, or he owes them in labour the cost of his keep; there is no exception to this rule. Man in society is bound to work; rich or poor, weak or strong, every idler is a thief.[60]

The same conviction is expressed in Rousseau's draft constitution for Corsica: "Men are naturally lazy: but ardour in labour is the first-fruit of a well-regulated society".[61]

After reaching the phase of moral freedom, the individual "regains itself", i.e. regains a sense of control over the use of one's freedom in relations with other people. It becomes, in Starobinski's most pertinent phrase, 'totally transparent' to others, a condition that enables its inner nature – virtue, freedom, truth – to shine out.[62] According to Rousseau, the ethics of virtue should supplant the old amoral idleness. The idealized worthies of classical antiquity supplied him with what he thought was the right educational model. What must have appealed to him about the classical ethos, very different from both modern individualism and organicism, was its combination of a sense of belonging to the political community with an emphasis on individual responsibility for its continued existence. Increasing the greatness of the community as a whole by encouraging closer co-operation of its individual members was never Rousseau's civil ideal. The new, well-organized state could be expected to grow more powerful, but this was a matter of secondary importance; the state's primary goal was to offer everybody a chance of self-realization.[63] Rousseau's concern with the creation of conditions that would put the communal might of the state at the service of its individual members indicates that his whole project must be seen as a great and passionate defence of individuality.[64] Both the tenor and the drift of his argumentation clearly show that his perception of the body

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[59] *Ibidem*, p. 32.

[60] J.J. Rousseau, *Emil* [Émile], p. 241. The radicalism of these words is hard to overestimate; at that time in many European coutries a nobleman who would take up manual work for a living ("get his hands dirty") risked the forfeiture of his title.

[61] J.J. Rousseau, *Projekt konstytucji dla Korsyki* [Constitutional Project for Corsica], p. 123.

[62] J. Starobinski, *Jean-Jacques Rousseau*, p. 64.

[63] It was already noted by Immanuel Kant. More on that in: R. Grimsley, *Jean-Jacques Rousseau: A Study in Self-Awareness*, Cardiff 1961.

[64] In the sense (freedom and space to develop one's own character) given to it by, among others, Alexis de Tocqueville, Wilhelm von Humboldt, and John Stuart Mill.

politic is expressly individualistic.[65] As a result, we cannot be anything but skeptical about those critics of Rousseau's work that find him guilty of advocating collectivism, or worse.[66] It is another matter how seriously such a project should be treated (apart from being a visionary ideal). It seems that Rousseau wanted to show that he was in earnest, both when he got down to work to reform the institutions of an already existing state (as in his *Considerations on the Government of Poland*) and when he thought up a completely new constitution (as in the case of Corsica). Quite a number of his intuitions have been reanimated in modern republicanism even if not all neorepublicans are ready to admit him into their club. Undoubtedly, what many still find attractive in Rousseau's doctrine is his abhorrence of being dominated by others. He makes his point very clear in *Letters Written from the Mountains*:

> Many attempts have been made to confuse independence and liberty. These two things are so different that they are even mutually exclusive. When each does as he pleases, he often does what displeases others, and that is not what is called a free state. Liberty consists less in doing one's will than in not being subject to someone else's.[67]

*A*gainst Aristotle, Rousseau avers that man by nature is not a social animal, but he agrees with Hobbes that the political community is not natural. At the same time though, he rejects Hobbes's view of man as a rational egoist, always bent on maximizing one's own interest. Rousseau, on the contrary, believes that there is nothing to prevent man from becoming a good citizen in the right kind of society, especially when his upbringing and education is oriented towards citizenship. A society cannot survive unless its citizens have empathy for others (merely pursuing one's interest is not enough) and find the fulfilment of civic duties indispensable for their own good (or, to borrow Hobbes's term – for their own survival). Anybody who has read *Émile* cannot help but realize that only education ensures social unity. It has to be an education which promotes solidarity and the virtues of civic participation along the lines of Rousseau's grand political project.[68] Unlike Hobbes or Locke, Rousseau connects the transition to the civil state with a radical change in man 'by substituting a feeling of righteousness for instinct in his conduct, and giving his actions the morality they… formerly lacked'.[69] The emergence of the new community prompts a moral change in its individual members and that in turn enables the community to

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[65] Cf. J.J. Rousseau, *Umowa społeczna* [The Social Contract], p. 21: "the Sovereign, being formed wholly of the individuals who compose it, neither has nor can have any interest contrary to theirs".

[66] I.e. totalitarianism, if we are to believe the argument of Karl Popper or Jacob L. Talmon. It seems that most of the misunderstandings result from attempts to refute the theoretical foundations of Rousseau's doctrine by demonstrating how his state would have to function in practice. In each case the meaning of the phrase 'would have to' is construed with reference to the Nazi and communist regimes of the 20th century (which begs the question if a regime of this kind was imaginable in Rousseau's time).

[67] J.J. Rousseau, *Lettres écrites de la montagne*, p. 220.

[68] J.J. Rousseau, *Emil* [Émile], p. 78: "The natural man lives for himself; he is the unit, the whole, dependent only on himself and on his like. The citizen is but the numerator of a fraction, whose value depends on its denominator; his value depends upon the whole, that is, on the community. Good social institutions are those best fitted to make a man unnatural, to exchange his independence for dependence, to merge the unit in the group, so that he no longer regards himself as one, but as a part of the whole, and is only conscious of the common life". Cf. also M. Qvortrup, *The Political Philosophy*, p. 31–34.

[69] J.J. Rousseau, *Umowa społeczna* [The Social Contract], p. 24–25.

achieve its goal, the triumph of equality and freedom from domination. This will be possible only if people arrive at the right understanding of freedom, the essence of which is an accord between individual will and the general will. Rousseau calls this accord virtue.[70] He equates the rule of virtue with the rule of true freedom, and adds that virtue must be combined with the feeling of patriotism:

> There can be no patriotism without liberty, no liberty without virtue, no virtue without citizens; create citizens, and you have everything you need; without them, you will have nothing but debased slaves, from the rulers of the State downwards. To form citizens is not the work of a day; and in order to have men it is necessary to educate them when they are children […]. Public education, therefore, under regulations prescribed by the government, and under magistrates established by the Sovereign, is one of the fundamental rules of popular or legitimate government.[71]

Clearly, Rousseau's principal concern is the creation of a social order in which nobody is subjected to arbitrary will. Should this project fail, the individual is left with a stark choice. If he joins an ill-organized society and accepts its rules, he will lead a life of enslavement. He may not admit it, enjoy the illusory prosperity, but the iron chains draped with garlands of flowers will not cease to be chains.[72] For Rousseau the things that appear to promise a better life – power, prestige, riches – are just a burden we could well dispense with. We do not really need them because, as he muses in *Émile*,

> […] man is the same in every station; the rich man's stomach is no bigger than the poor man's, nor is his digestion any better; the master's arm is neither longer nor stronger than the slave's; a great man is no taller than one of the people.[73]

By taking the other option, i.e. backing off and refusing to co-operate with a corrupt society, an individual resigns himself to self-imposed solitude. That way of life offers a different variant of freedom. "I never believed that man's liberty consisted in doing that he wished, but chiefly in never doing that e did not wish", Rousseau writes in *Reveries of the Solitary Walker*.[74] At any rate, in a corrupt society a free man cannot do much. The only 'true' freedom he can exercise (which does not impair his humanity) is natural freedom whose obverse is natural inertia (idleness). That is why in a sum-up of his free life Rousseau can say proudly: "I have done little good, I allow; but harm never once in my life entered my will, and I doubt whether there exists a man who really has done less than myself".[75] Moral freedom – associated with autonomy and achievable only after a radical transformation of natural freedom – needs citizenship for its very existence. Just as Rousseau's well-organized state, by definition, needs citizens who are devoted to the performance of their duties and who put their full trust in the authorities; and in which, ideally, good public morals (*moeurs*) will replace the genius of leaders while virtue will be appreciated more than talent.[76] The development of a virtuous citizenry, which is the

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[70] J.J. Rousseau, *Ekonomia polityczna* [A Discourse on Political Economy] [in:] *Trzy rozprawy z filozofii społecznej* [Three Discourses in Social Philosophy], p. 300.

[71] *Ibidem*, ss. 311, 313.

[72] J.J. Rousseau, *Rozprawa o naukach i sztukach* [Discourse on the Sciences and Arts], p. 12.

[73] J.J. Rousseau, *Emil* [Émile], p. 238.

[74] J.J. Rousseau, *Przechadzki samotnego marzyciela* [Reveries of the Solitary Walker], p. 113.

[75] *Ibidem*, p. 113.

[76] J. Delaney, *Rousseau and the Ethics of Virtue*, London 2006, p. 107ff.

final stage of Rousseau's project, requires not only a change of mental habits but also a radical change of heart. This leads us to the conclusion that Rousseau's ideal of republical freedom consists of a union of moral freedom and virtue while ideal body politic is based on a harmony of obedience and freedom. In that new reality 'the words subject and sovereign are identical correlatives the idea of which meets in the single word "citizen". This concept paves the way for Kant's formula of moral autonomy founded on an individual appropriation of moral law. Rousseau knows that his vision of a great transformation of man and society may fail, yet, unlike Plato, he does not think of preparing an alternative, second-best project. For Rousseu it's make or break.

III

Rousseau's work has invited multiple readings and interpretations. Here we will concentrate on a few, more recent ones, that show the complexity of Rousseau's argument about freedom and the multiplicity of perspectives taken up by the critics. Let us begin with one or two points that are uncontested, namely that Rousseau's faith in the republic and in the ability of individuals to take responsibility for themselves and for the community marks his break with the modern consensus. It was a break both with Hobbes who believed that the renunciation of individual autonomy was necessary price to be paid for society's peace and security and with Locke, Madison and Montesquieu who advocated the separation of powers, judicial control and federalism as the best antidote against the misuse of political power. Rousseau, who believed that the abuse of power can best be curbed by the people themselves guided by the general will, was certainly not an institutionalist. In his view the functioning of the body politic depends on the right balance between obedience and freedom. The harmony between the two principles is a guarantee of protection to everybody without the intervention of the will or the total subjection to others because "where right and liberty are everything inconveniences are nothing".[77] The establishment of such a harmony, which the Moderns ignored, requires "an explanation of the true nature of man and on that basis determine the characteristics of a good political system".[78] Consequently, his concept of freedom must not be discussed separately from his concept of nature. In the quarrel between the Ancients and the Moderns Rousseau is generally believed to have been on the side of the latter. Like the Ancients he was convinced freedom and equality could only be reconciled in a political system based on virtue, i.e. "being a good citizen".[79] For him the primary political objective is not security, but the good life (the restoration of freedom) which should be promoted by means of an austere moral education. However, that does not take us to the root of Rousseau's radicalism. It lies in his rejection – with the Moderns – of some of the fundamentals of the ancient philosophers' creed, namely that man is destined by nature to live in a politi-

[77] J.J. Rousseau, *Umowa społeczna* [The Social Contract], p. 113.

[78] A. Bloom, "Jean-Jacques Rousseau", in: *Historia filozofii politycznej*, ed. L. Strauss and J. Cropsey, Polish transl. by P. Nowak of *History of Political Philosophy* [Chicago 1987], Warszawa 2010, p. 567.

[79] *Ibidem*, p. 569.

cal community, that he is both a social and political being, and that living this kind of life is sanctioned by reason. His argument is built on a different cornerstone, a reconstruction of the natural man ("take men as they are"). This construction, as Allan Bloom argues in his interpretation of the author of *The Social Contract*, provides both the background and the foundation of Rousseau's concept of freedom, conceived as a state or condition in which man is simply at one with himself and has the potential to delovelop in many different directions.[80]

Another thought-provoking study of Rousseau's political thought is Joshua Cohen's *Rousseau: Free Community of Equals,* published in 2010. It revisits Rousseau's project of a political order with its extraordinary moral credentials, ie. promises to everybody that their interests, personal dignity and individual autonomy would be fully protected. At the heart of the new order, or as Cohen dubs it Free Community of Equals, is the principle of autonomy (self-legislation), which enables the participants to regain man's original freedom.[81] Rousseau's grand design gives rise to a number of questions, chief among them how to enforce the general consensus and keep intact the autonomy of the individual (his moral freedom). For Cohen the solution of this problem lies in a realistic ideal of a free community of equals. It is *free* because it respects the political autonomy of each of its members; it is a *community* because it acts on the basis of a joint acknowledgement of the common good and everybody's commitment to observe it; and it is a *community of equals* – a democratic society – because the common good reflects ('gives equal weight to') the good of every individual member. Yet this formula is open to several skeptical queries. Are human beings really capable to create a community of this kind, or is it a utopian fiction beyond our reach? Another question concerns the realism, or the starry-eyed optimism, of Rousseau's assessments of people's ability to co-operate in identifying, shaping and acknowledging the common good, not least a common good that entails unconditional equal treatment. After all, it is hard to imagine human beings without moral flaws like selfishness, envy or pride, or an institution that could wash them clean of all their vices and weaknesses. A most characteristic but also rather problematic feature of Cohen's approach is his claim that Rousseau's radical political ideal was not incompatible with liberalism. His key values like self love, freedom and the justification of the latter based on an accord between free and equal individuals pursuing their own basic interests. Cohen also finds in Rousseau's theory a distinct streak of communitarianism. It shows up in the importance attached to bonds of social and national solidarity that unite the citizens and to the shared values and civic obligations, which include a mandatory civil religion.[82] The tendency to see in Rousseau's work a combination liberal political philosophy and communitarian sociology and social psychology also gave rise to an increased awareness of the tension and contradictions within that construction. What, however, that critical backlash seems to have lost sight of is Rousseau's main goal, i.e. the reconciliation of individual autonomy and the natural interdependence of individuals (with all the advantages of living in a community). It should also be made clear that Rousseau rejects the liberal understanding of rationality as an egoistic maximization of personal interest; for him rationality manifests itself in the pursuit of the common good

[80] *Ibidem*, p. 573.
[81] J. Cohen, *Rousseau: Free Community of Equals*, Oxford 2010, p. 12.
[82] *Ibidem*, p. 22.

because a political system built on that principle is the sole guarantor of freedom. That implies that freedom is a condition (a "quality of being a man") sustained by the hands-on ability to recognize the common good in a rational way and then to submit to it. In what sense then, we could ask, is his philosophy liberal if, apart from his initial preoccupation with the individual and his freedom, none of his solutions are actually liberal? It seems that the bast way of resolving this difficulty and getting a better understanding of Rousseau's political theory and anthropology would be to put aside labels like liberal, republical and communitarian, nor to push him too hard into the arms of any of these three traditons, though that could provoke some interesting debates.

For instance, the trend towards raising Rousseau's communitarian profile led to his expulsion from the mainstream Italian–Atlantic tradition of republicanism and putting him at the head of to its Franco-German branch. According to Philip Pettit, Rousseau and Kant were the first to abandon the key classic republican principles of mixed government and "contesting citizenry".[83] Nonetheless, he still credits Rousseau with a typically republican understanding of freedom as the absence of domination, in other words a personal or individual dependence on someone else's will (the "bondage", or "enslavement", that has been discussed ealier). It requires that each citizen be independent from all other fellow citizens – Pettit sums up, but leaves out the rest of the stipulation, i.e. while participating passively or actively in the finding of the general will. In Pettit's view Rousseau's ideas of citizenship and the state are inimical to classical republicanism and its Italian–Atlantic continuations. Rousseau's affirmation of a single, indivisible and inalienable sovereignty as well as his rejection of the separation of powers are cited as proof of his indebtedness to Bodin and Hobbes. However, Pettit's strongest objection is levelled at the proposition that each person's independence can be guaranteed by their collective submission to the sovereign (the general will). This, he says, is a restatement of the absurd claim from *The Social Contract* that "each man, in giving himself to all, gives himself to nobody".[84] In decrying this iconic quotation Pettit seems to ignore the fact that Rousseau does not focus on freedom and freedom's guarantees to open his argument, as is the case in the liberal approach; he is concerned first and foremost with laying the foundations of a social order that could justifiably claim submission to itself.[85] The structure of the social contract based on the subjection of the individual will and its transformation into the legislative will, which initiates actions free from the arbitrariness of decision-making driven by self-interest, is meant to provide that justification. Furthermore, Pettit's contention that Rousseau's notion of freedom conforms to what he has defined as republican freedom falls short of the mark as well as he seems not to take into account the impact of virtue fostered by education on the readiness to take up civic duties. The Rousseauian freedom no doubt benefits from the strengthening of the sense of citizenship. It seems therefore that Pettit's interpretation does not offer us new insights into the central problems of Rousseau's political theory. It does not explain the reasons why he decided, at least in part, to abandon the positions of the ancients, in particular

[83] Ph. Pettit, 'Two Republican Traditions', in: *Republican Democracy: Liberty, Law and Politics*, ed. A. Niederberger, Ph. Schink: Edinburgh 2012.

[84] *Ibidem*, s. 178.

[85] M. Simpson, *Rousseau's Theory of Freedom*, London 2006, p. 111.

Aristotle's nor his unwillingness to embrace the modern approach to human nature and the state.

As interpretations and critical debates continue unabated it is hardly possible to wind up this discussion about Rousseau's concept of freedom with a clear conclusion. So, by way of a nonconclusive conclusion let us take a leaf out of a book by Jacques Derrida, a critic and commentator with a philosophical bent. He observes that Rousseau helped to wake up philosophy's nostalgia for a return to the spoken word as the most direct form of communication, especially when it comes to feelings, excitement and flashes of illumination. So, with regard to speech the words on the page, i.e. all of Rousseau's texts, should be treated as an imperfect *supplement.*[86] It is brought back to life only when we decide to break down boundaries, and 'going down into words like going down the pit' we, by our own effort, extract from them meanings that are new although they have always been there.

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[86] J. Derrida, *De la grammatologie*, Paris 1967, p. 57.

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