

Topic Covered:

Paper - C - 8

(Modern
Western
Thought)

~~Year~~

Sem -
IV

Unit - 3 :-

Rousseau -

Concept of
General Will

~~Year~~

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Introductory.— Hobbes, Locke, and Rousseau: these are the three great names associated in modern political thought with the development of the Social Contract Theory. The views of the first two great thinkers have been discussed in the two preceding chapters; those of the third are made the theme of the present one. The political doctrines of Vico and Montesquieu will be described in the following chapter, though Rousseau was influenced by their doctrines to some extent. It would be recalled that while Hobbes very ingeniously used the idea of contract to defend absolutism and thereby perverted it from its natural purpose, Locke employed it to prove that just and legal government must rest upon the consent of the governed, and thereby restored it to its original aim. Rousseau was greatly influenced by Locke, but he developed his fundamental ideas in a direction which would not have received the Englishman's approval. Rousseau was a democrat as Locke was not, and erected the theory of complete popular sovereignty on the basis of social contract. The result was that while 'Locke's *Essay on Civil Government* was a rather dull defence of a revolution which had already taken place and all that Locke wished to do was to cause the populace to accept the *status quo*,' Rousseau's *Social Contract*, which was read by thousands of persons, engendered in them 'a vast discontent with existing conditions, and a feeling that something radical should be done to correct existing evils'.* It should be remembered that Rousseau was a more potent factor in preparing the way for the great French Revolution than Diderot, Voltaire and Montesquieu. His *Discourses* and *Social Contract* undermined the entire social system of the old regime and prepared the way for a new democratic order; and his passionate assertion of the sovereignty of the people and the sovereign authority of the general will were like the thunder of lightning as compared to the creaking of a slate pencil in comparison to Locke's defence of limited or constitu-

* McGovern: *From Luther to Hitler*, page 94.

tional
rule.

General Will.— Rousseau's theory of the General Will is intimately connected with his conception of popular sovereignty. An examination of the latter concept should therefore provide the best starting point for a discussion of the former.

It would be recalled that Bodin and Hobbes, whose names are indissolubly connected with the definition and development of the concept of sovereignty in the history of modern political thought, located it in the ruler ; they were advocates of absolute or despotic *monarchy*. Locke and, as will be shown in the next chapter, Montesquieu supported the cause of individual liberty and defended constitutional or limited government. They fought shy of the conception of sovereignty as if it were a mortal enemy of liberty ; they thought that this idea was inextricably mixed up with monarchist and absolutist ideas, as indeed it was in the theories of Bodin and Hobbes. In a flash of inspiration Rousseau saw that if sovereignty were located in the people rather than in the ruler, the theory would prove to be the most powerful weapon to fight absolutism. With characteristic boldness he proceeded to develop a theory which made the people sovereign. After him the theory of popular sovereignty became the rallying point of all democrats.

The distinctive element in Rousseau's social pact is that the community or commonwealth which comes into existence as the result of social contract is itself the sovereign. It does not proceed to make any power or authority outside itself sovereign, but becomes sovereign itself and continues so ever afterwards. The language in which Rousseau describes the terms of the contract is highly significant from this point of view. He says that the act of association creates a moral and collective entity having its own

identity, life and will. This will he describes as the General Will, and it is under the supreme direction of this General Will that each member puts his person and his total power. It is thus crystal clear that unlike previous writers who 'had thought of the political society or commonwealth, upon its formation by compact, as instituting a sovereign, Rousseau thinks of the society itself becoming sovereign in the act of its formation and ever after continuing so.* As has been indicated on page 185 above, every member of the community is a constituent part of this sovereign body.

Readers of the *Social Contract*, who are familiar only with the legal conception of sovereignty and regard the possession of supreme coercive authority as its most vital and fundamental attribute and are ignorant of the idea of a common ego or general will which wills nothing but what is for the common good of all, are most likely to miss the most important and characteristic element in Rousseau's conception of the General Will. To bring this feature into clearer light it is necessary to state at greater length than has been possible before the great moral transformation which individuals undergo as a result of becoming members of the sovereign society which is ushered into existence by the Social Pact. It may best be described in the following words of Rousseau: 'The passage from the state of nature to the civil state produces a very remarkable change in man, by substituting justice for instinct in his conduct, and giving his actions the morality they had hitherto lacked. Then only, when the voice of duty takes the place of physical impulse and right of appetite, does man, who so far had considered only himself, find that he is forced to act on different principles, and to consult his reason before listening to his inclinations. What man loses by the social contract is his natural liberty and an unlimited right to everything he tries to get and succeeds in getting; what he gains is civil liberty ... which is limited by the general will We might, over and above all this, add to what man acquires in the civil state, *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.*'†

* *Course of Principles of Political Obligation*, page 80.

In this passage Rousseau says that by the social pact man exchanges his natural independence to do and get what he can (which is limited by his relative strength) for civil liberty (which is limited and secured by the General Will). He exchanges the possession of such things as he can get for the *right* of property in all goods. More important than these is the moral change he undergoes. It is in and through the membership of the state that he becomes a moral agent; his acts acquire a moral quality they did not have before. Instinct is replaced by justice; bondage to appetite gives place to moral freedom which lies in obedience to a self-imposed law. An individual becomes capable of morality when he learns that there is another law than that of force, that there are things which he *ought* to do as distinguished from things which he might be *forced* to do. This consciousness can dawn upon him only in and through membership of civil society. Apart from society a man remains a slave to his impulses and instincts; he knows of no law of life other than physical impulse; as a member of society he learns to regulate and control his impulses in the light of a universal law. He learns to renounce his right to act in the way dictated by his selfish purposes and agrees to act in the way demanded by the interest of the community. His acts become moral in so far as they are directed by a universal law. Furthermore, so long as an individual remains subject to his passions, his whole being cannot be unified in the pursuit of a single end; such unity can be realised only in the pursuit of rational ends which, again, is possible only in a civil society.

What makes this transformation of the individual possible is his continuous participation in the General Will in which sovereignty resides. From this it follows that for Rousseau sovereignty is something more than the supreme coercive authority as it was for Bodin and Hobbes. It is more akin to the dispassionate reason in which Plato and Aristotle found the source of laws and the discipline of the ideal polity; it may also be compared to the 'pure practical reason' of Kant in virtue of which man becomes autonomous and requires to be treated always as an end and never as a means. According to Rousseau the prime attribute of sovereignty is not the exercise of supreme coercive authority but *public disinterestedness*. All the acts which can be ascribed to the sove-

reign General Will must be disinterested.

General Will is thus disinterested. It is disinterested in a twofold manner. Firstly, it always aims at the common good ; it is concerned only with those things which are of common concern, and not at all with those which are purely personal. Secondly, in dealing with the former it is actuated by public-spiritedness. If the members of a community think of problems of common concern but from the point of view of personal or sectional gain, the result cannot be called General Will. In order to arrive at the General Will members must deal not only with what concerns all, but also think about it from the point of view of the common good.

In short, in order that general will may be voiced, members must be 'bent upon the common weal and willing to forget their own concerns'. It would be perfect 'in proportion as they vote in pure devotion to the public good and in oblivion to their personal interest.'*

Doubt, however, is apt to arise whether actual men and women can be so bent upon the common weal as to be utterly oblivious to their private interests. Many a time our votes on questions of common concern are determined by considerations of private advantage. It may be answered that when such a phenomenon occurs, the general will is not extinguished but only evaded. The will to aim at what is taken to be good is not thereby obliterated ; it exists but private interests so master our mind that considerations of common weal occupy a secondary place in our thoughts. The General Will is as much implied in the life of a society as some sort of will for good is operative in the life of an individual ; it is sometimes pushed into the background by more powerful forces on the social as on the individual plane. But it is never completely extinguished.

Rousseau says that the General Will must be general not only in its purpose but also in its composition. This means that it must take into consideration the will of each member of the community. This feature of the General Will follows from the language in which Rousseau describes the terms of the Social Pact. In the passage quoted on page 183 above, he says that *each*

* Wright : *Ibid*, page 76.

member puts his person and all his powers under the supreme direction of the General Will, and that the moral and collective body which is created by the act of association contains *as many* members as the assembly contains votes. *Every* member is received as an integral member of the society.

This requirement raises several difficulties. Does it mean that in order to create the General Will *all* the members of the community must be unanimous? There is no doubt that in the Social Pact which creates the ideal society *all* the members must participate; the Pact demands unanimity. But Rousseau fully realised that once the society is set going, complete unanimity on any issue is seldom realised. Differences of opinion are bound to exist on almost every issue. And, even supposing that there were perpetual unanimity in a society, it would not necessarily give us the General Will. 'For just as an individual with a single motive would act on it without any exercise of will or any notion that he had one, so a state whose members are always unanimous would act as an automation and never know that it owned a will at all.*' The generality of the will cannot therefore lie in complete unanimity.

Nor can the general will be taken to mean the sum-total of the wills of all the members of the community. Rousseau takes pains to distinguish between it and the 'will of all'. He says that the sum-total of the wills of all individual members can never constitute the general will, because the former take note of the personal and private interests, while the latter deals with matters of common concern only. Furthermore, the general will is a unity such as the 'will of all' can never be. The General Will expresses the will of the community as a whole and not as a mere aggregate of persons; it is not a compromise between the conflicting wills of the members, but a single, unitary will. Hobbes's assertion that the sovereign will of the Leviathan is 'more than consent or concord, it is a real unity of them all in one and the same person' applies to the General Will of Rousseau. The General Will is unitary because the sovereign body which expresses it is a 'moral and collective' person, having a life, will and purpose of its own. According to Rousseau what generalises

* Wright : *op. ct.*, page 75.

the will is not the number of persons holding it but the common interest which actuates them and unites them in one whole.

We may therefore say that the General Will of which Rousseau speaks is nothing more and nothing less than the will of the people functioning as a whole, the will of the society viewed as a living political organism. It is a corporate will which can belong only to a body having a common life of its own. It cannot be discovered by the process of counting heads; it is something general towards the creation of which every member of the community contributes. In view of the attributes which Rousseau ascribes to it, *e. g.*, infallibility and inalienability, which will be described later on, it may even be said to have no actual existence anywhere; like the point of Euclid it is incapable of being fully realised in actual life. 'It is of the nature of a principle operating among and underneath a great variety of confusing and disguising factors, and can only be defined by the help of an "as such" or "in so far as". It is, we might say, the will of the whole society "as such", or the will of all individuals "in so far as" they aim at the common good.*' The manner in which a body like the British Cabinet or the Indian Cabinet arrives at decisions on questions of national importance approximates most closely to Rousseau's conception. As a result of the discussion in which every member has the right to participate a common view emerges which represents the largest measure of agreement among them. It represents the best mind of the cabinet as a whole, the real will of every one of its constituent members. Even where complete agreement is not reached, the dissenting members accept the decision in good grace; they feel satisfied that they have had their say and have contributed in some measure to the decision that emerges. The way in which panchayats functioned in olden days also illustrates Rousseau's notion. But the one condition necessary for the successful working of the cabinet system or the Panchayat is that all the members shall lay aside personal and selfish considerations and look at the problems confronting them from the point of view of common good. The way to create the General Will is to extend the spirit of devotion to the common good.

The foregoing discussion of the nature of General Will pro-

* Bosanquet : *Philosophical Theory of the State*, page 99.

ceeds on the fundamental assumption that every individual aims at something which he takes to be good. If there were no such thing as the will for good in the life of an individual, there would be no general will. The two, general will and the will for good in the life of an individual, are to a great extent identical. 'The General Will seems to be, in the last resort, the ineradicable impulse of an intelligent being to a good extending beyond itself, in so far as that impulse takes the form of a common good. Though this impulse may be mastered and cheated in a degree, yet if it were extinct, human life would have ceased..... This indestructible impulse towards the good, which is necessarily common good, is what Rousseau plainly has before him in his account of the General Will.'*

It was stated above that the will for good, which every individual has and without which human life would lose all value and significance, and the General Will are almost identical. This assertion requires a word of explanation, which may serve to elucidate the conception of General Will further.

As conscious individuals we desire and pursue different objects at different times. The different objects of desire may not harmonise with one another in the case of an individual, unless they are corrected and amended in the light of what the individual has placed before himself as the central purpose of his life. This central purpose of life, which would give him complete and full satisfaction when it is attained, may be described as his real will. The different and partial purposes which he sets before himself at different times may be described as his actual will. The actual will is therefore what an individual exerts from moment to moment. It is a feature of the actual will that it cannot exhaust all that the real will demands; its fulfilment would not give complete satisfaction to the individual. The actual will would be satisfying more and more fully in proportion as it is criticised and amended in the light of the real will. This process of criticism and amendment is furthered when a number of individuals meet and discuss together matters of common concern. What an individual should desire at any moment should harmonise not only with what he desires at other moments and on the whole; it should also

* Rosanquet: *op. cit.*, pages 102-3.

harmonise with what other individuals want. When a considerable degree of such correction and amendment has been gone through, both on the individual and collective planes, our will may take a shape which may be quite different from what we started with. This would be the real will. The General Will of society is nothing but a harmonisation or synthesis of the real wills of its individual members. This analysis shows that there is a radical difference, between the General Will and the Will of All as a mere totality of the selfish will of the members of a group.

It is implied in the preceding account that the real will of an individual as it returns to him after having passed through the process of correction and amendment and harmonisation with the wills of others may be not only very different from what he may be conscious of, but even opposed to it. Rousseau is well aware of the fact that an individual may, as a particular man, have a particular will contrary to the general will he may have as a citizen. His particular and personal interest may demand of him a course of action different from and opposed to that required by the general will. When such a conflict arises, it becomes the right and duty of the community to compel the recalcitrant individual to obey the general will; a continuation of conflicts of this sort would prove to be the undoing of the body politic. To quote Rousseau: 'The social compact tacitly includes the undertaking that whosoever refuses to obey the general will shall be compelled to do so by the whole body. This means nothing else then that he will be forced to be free; for such is the condition which, by uniting each citizen to his country, secures him against all personal dependence.* At another place (Book II, Chapter IV) he writes as follows: 'If the State is a moral person whose life is in the union of its members, and if the most important of its cares is the care of its own preservation, it must have a universal and compelling force in order to move and dispose each part as may be the most advantageous to the whole.†'

* *Social Contract* : Book I, Chapter VII.

† This is perhaps the soundest justification of the provision of the preventive detention in our constitution which has been much criticised by some persons. Let the critics ponder over the sound words of Rousseau, the great prophet of individual liberty and democracy.

Rousseau's phrase 'forced to be free' sounds highly paradoxical; it is difficult to understand how the use of physical force can lead to freedom. But to Rousseau there is nothing paradoxical about it. It is the logical consequence of his conception of moral freedom, and of the state as a 'moral person' having a real existence of its own. If the state is viewed as a legal fiction or abstraction created by the reflective mind of man, as the individualists do, it indeed becomes difficult to reconcile its use of force with individual freedom. But there can be no such problem for Rousseau. It would be recalled that for Rousseau freedom is something towards which we grow; it is the condition of our being ourselves. But in order to be ourselves, 'we must be always becoming something more than we have become'. For this purpose there must be a continued struggle for asserting the control of what we recognise as our real or rational self over the actual or impulsive self of desire and inclination. 'It is possible for us to acquiesce, as rational beings, in a law and order which on the whole makes for the possibility of asserting our true or universal selves, at the very moment when this law and order is constraining our particular private wills in a way which we resent, or even condemn.'* Rousseau can thus speak of a man being forced to be free without self-contradiction. In short, in being compelled to obey the General Will the individual is realising his highest freedom which consists in mastery over the self of passions and voluntary submission to the law of reason. Rousseau's assertion that conformity to the General Will constitutes freedom means nothing more and nothing less than the statement that the 'Rule of Law' is the prime condition of individual liberty. This may be a commonplace to-day, but in the eighteenth century France there was no 'rule of law'; under a despotic monarch the nobles claimed privileges and immunities denied to the common man. Rousseau's ideas had a special significance under those conditions.

The paradoxical character of the assertion disappears when it is realised that there can be no clash between the true interests of the State and those of the individual, as there can be none between the needs of the body as a whole and those of its various

* Bosanquet: *op. cit.*, page 118.

organs. The State is an organic unity comparable to the body. The conflict arises only when an individual seeks to follow a course of action opposed to the well-being of the whole. In such a case the society has the right to compel the individual to obey its will.

It should be remembered that the above stated analysis is applicable only to democratic states where some machinery exists for the discovery and formulation of the General Will. It would be wrong to apply it to totalitarian states where an effort is made to mould all people in one pattern. Rousseau would have regarded all totalitarian states as a travesty of his ideal society. Obedience to the laws of such states does not lead an individual to the highest freedom: they are not laws in the sense in which Rousseau uses the term; they are commands issued by a master. It is not contended here that the ideal of the General Will as delineated by Rousseau is completely realised in any existing democratic state; the point sought to be established is that it can be realised only in a democracy. It may be added that it is realised, more or less approximately, in some of the democracies. Rousseau's description of the State as a moral being possessed of a general will 'which tends to the preservation and welfare of the whole and of every part', and which is 'the source of the laws, and constitutes for all the members of the state, in their relations to one another and to it, the rule of what is just or unjust' is true for all times. It is the norm or standard by which we can judge the actual states. It must be remembered that Rousseau was not engaged in describing actual states; his purpose was to outline an ideal state in which alone we can reconcile individual liberty with state sovereignty.

We may now proceed to mention some other features of the General Will besides its sovereignty and disinterestedness. Rousseau says that it is always right and infallible. It is right and infallible in the sense that, in virtue of being what it is, it cannot seek anything but the general good. If all that is implied in its nature and what it demands is carried out, and as a result thereof an identity comes to be established between the real wills of all the individual members, then they would always vote for the public good. It is impossible for the General Will to be deflected from the pursuit of the common interest and pursue the

good of an individual or a section, as an individual ruler or oligarchy can do. In its inability to will anything but the good of all it resembles the Good Will of Kant which wills nothing but the goodness of will.

This should not be taken to mean that every decision of a general assembly which claims to represent the General Will is objectively right and just. Facts of history contradict this proposition; instances where associations of men consented to and participated in unjust acts are numerous. Rousseau himself admits that though the General Will always aims at the common good, 'the judgment which guides it is not always enlightened Individuals see the good which they reject; the public wills the good which it does not see.' He further adds: 'Our will is always for our own good, but we do not always see what that is; the people is never corrupted, but it is often deceived, and on such occasions only does it seem to will what is bad.' This explanation does not add anything new to what was said above when we laid emphasis on the disinterestedness of the General Will. It only means that so long as the General Will remains truly general, it must always and by nature be right. As a statement of the intrinsic nature of the General Will it is unexceptionable, but serious doubts about its practical value or significance are bound to arise when we remember that in the history of mankind assemblies of men have been known to act in ways most unjust. The statement that the General Will is always just and always aims at the general good is certainly true if taken as a definition of the term, but cannot be accepted as sound if taken as describing the actual behaviour of public assemblies.

But something can be said in support of Rousseau's theory. In so far as Rousseau says that it is under the influence of demagogues and party spirit that assemblies are led to subordinate public good to private gain, and that if these evil influences are eliminated the natural goodness of human nature would assert itself and lead to right results, he is right. What is needed for a closer approximation to the ideal of General Will is the elimination of the influences working in the opposite direction. It may also be added that for reasons to be stated in the next paragraph, Rousseau's ideal could be most closely realised in small city-states like those of ancient Greece, but not in the large nation-states of

today. Rousseau's political philosophy was influenced by his study of Plato and admiration for his native state of Geneva to a large extent.

For Rousseau the General Will is sovereign. It must have all the features of sovereignty. Since sovereignty is absolute, General Will also must be absolute. Mention of this feature of the General Will has been made already. Rousseau says that sovereignty is indivisible and inalienable. It is indivisible and inalienable because General Will possesses these qualities. Sovereignty could be divisible only if the General Will in which it inheres were capable of division which it is not. By describing sovereignty as indivisible Rousseau wants to convey the idea that it can and must reside only in the community as a whole; it cannot be divided or split up among smaller groups as the modern pluralists want it to be split up, or among the various organs of government, *e. g.*, the legislature and the executive. To divide it would be to destroy it; for in that case one part would assert its authority over the others, and that means that sovereignty or General Will no longer remains the will of the entire group functioning as a unity. The legislature and the executive cannot be sovereign; they are nothing but subordinate agencies to carry out what the General Will lays down. In a similar manner sovereignty or General Will is inalienable. The people cannot surrender or delegate their sovereign power to an individual or a group of individuals; to delegate it to the legislature means that the people do not continuously share in the exercise of the sovereign authority and therefore do not remain free. Rousseau is here obviously thinking of the city-states where alone direct democracy could exist and function; his doctrine of the inalienable General Will cannot be applied to modern nation-states which are large in size and population, and where representative institutions are unavoidable. Practical considerations make representative democracy indispensable in the present era. But Rousseau declares that as soon as a nation appoints representatives, it ceases to be free. The community ceases to enjoy freedom because the people as a whole do not participate in the making of laws by which they are governed; they do not participate in the exercise of sovereign authority. He held that Great Britain was free only during election periods. After the elections are over

the people are enslaved and count for nothing. He is thus against parliamentary institutions. It must be borne in mind that Rousseau was opposed to the representative principle because he was afraid lest the elected representatives who were under no obligation to voice the feelings of their constituents should be bought over by a corrupt king or aristocracy. This danger was very real in eighteenth century England.

Finally, mention may be made of another characteristic of the General Will. It cannot be the executive will ; its function is to make laws but not to execute them ; their execution must be entrusted to a different agency, namely, the government or magistracy. The General Will cannot itself undertake the work of executing the laws, because it is impersonal and universal, while the decrees of government are particular and personal. Rousseau is thus led to draw a distinction between the people who are sovereign and the government which is subordinate and therefore responsible to the people. According to Rousseau so long as the General Will remains sovereign, it does not matter much whether the government is democratic, aristocratic or monarchic.

Before examining the difficulties and inconsistencies inherent in Rousseau's theory of the General Will, a few words may be added about Rousseau's conception of Law and the role he assigns to the Legislator.