



Reading Political Philosophy: From Machiavelli to Mill

Rousseau: Derek McTravers and Timothy O'hagan

Derek McTravers

Hello, I'm Derek McTravers and I'm here with Timothy O'hagan who is Senior Lecturer in Philosophy at the University of East Anglia. Timothy, in the Discourse on the Origin of Inequality Rousseau outlines some form of social contract. Now could you take us through that?

Timothy O'hagan

The contract in the Discourse of Inequality is rather radically different from the one in the book called *The Social Contract*. The Discourse of Inequality contract is in a sense a description of the actual contract which would underlie the present illegitimate societies we live in. It's a specious contract, it's based on relations of inequality between people rather than relations of equalities, *The Social Contract*-wise. It also is different in the persons who are parties to the contract, it's a contract between the people and its rulers, rather than a contract between individuals who come together to form a political group. It's what's been called in the history pact of subjection rather than a pact of association.

Derek McTravers

Before we get on to looking at the social contract in the book, *The Social Contract*, what would strike you immediately as the pitfalls that might trip up a student in reading Rousseau's *The Social Contract*?

Timothy O'hagan

..... start with the style of the book, it's a very foreign style to a modern reader in a number of respects, although on the other hand it seems so familiar.

Derek McTravers

Why is it foreign?

Timothy O'hagan

It's written in a style of high rhetoric, constant antitheses. It's delivered in this peremptory rhetorical tone that is, in a way, hard to intervene though, one doesn't know quite how to enter into a debate with Rousseau in this book. Alongside that it seems to be unbalanced in many ways. It's got link the empirical descriptions, for instance in Book 4 the descriptions of the Roman political institutions and it's very unclear quite how one's meant to integrate them with the prescriptive normative sections at the beginning. problem is that people go at *The Social Contract* in a bullish fashion as though it were evident what kind of a book this is. That seems to me again to be very unclear, at least immediately unclear. My own view is that it's best taken as a theoretical model, particularly in Book 1, and then I think particularly in Book 3 and in part in Book 4, it's a kind of testing out of that theoretical model against actual institutions that have been embodied in the past, an attempt to see just how far this theoretical model could be made to work.

Derek McTravers

Despite those pitfalls, is there a good reason to read *The Social Contract* these days?

Timothy O'hagan

I think there are many reasons. First, it is wonderfully unfashionable. It's posed in terms that are universal, critical and rational. I taught *The Social Contract* a couple of years ago in China and it had the most electric effect, indeed *The Social Contract* itself I think is still an explosive text for people who see themselves faced by what we could call despotism. At the

same time, the model of popular sovereignty that it gets us is indeed a kind of absolutism, also a very dangerous doctrine, and again what makes *The Social Contract* fascinating is that the doctrine is expressed in such an extreme and brutal fashion, with very few arguments, with these extraordinary rhetorical, declamatory, antithetical sentences. And it is, I think, the perfect foil for the Liberal critique. It's only when we've read *The Social Contract* quite closely that we can understand what Constant, De Tocqueville and John Stuart Mill are talking about. For all those reasons, I think, *The Social Contract* is still an absolutely essential text for us all to read.

Derek McTravers

Is there still a lot we can get out of it today which is interesting about the contemporary political situation?

Timothy O'hagan

I'm sure there is. I think that it's probably the most extreme model of what one might call absolute popular sovereignty, and although it's a bit unfashionable these days to mark Rousseau off as an enemy of Liberalism, I am still of the party that thinks that there is a major, major opposition between Rousseau's what I call 'popular absolutism' and what we, particularly in the English speaking world, know as 'Liberalism'.

Derek McTravers

Could you expand on that, I mean what do you think that the big contrast is between Liberalism and Rousseau's thought?

Timothy O'hagan

It's the problem picked up almost immediately by his liberal critics, Benjamin Constant in the first instance, then Alexis de Tocqueville, and then following him, John Stuart Mill in this country. And I think it focuses on the one key element which is this total alienation of all one's rights in *The Social Contract*, and however we finesse that this total alienation of one's rights, alienation giving over of one's rights, the retention of absolutely none, that seems to me to be still a major contrast between this doctrine and that of Liberalism.

Derek McTravers

Right. I suppose in order to unpick that we'd have to sort out first the problem that Rousseau thought he was trying to solve, and secondly the nature of that alienation. Rousseau sets out what he calls his fundamental problem in Book 1, Chapter 6. Do you have any comments about the way he sets it out?

Timothy O'hagan

Well, I guess it repays repeating it one more time, familiar though it obviously is. Find a form of association that defends and protects the person and goods of each associate with all the common force, and by means of which each one uniting with all nevertheless obeys only himself, and remains as free as before. That's what he poses himself. The problem is to find a legitimate form of polity which guarantees the freedom of each. The problem, however, is that Rousseau is driven by the logic of his exposition to think that that can be insured only by total alienation by each contracting party of all of his natural freedom, and it's on that point this nation of total alienation that Rousseau and the Liberals, I think, really do diverge, and I think it's foolish to try to think that Rousseau is a kind of closet Liberal. It seems to me much more interesting to take Rousseau as being precisely not a Liberal, but being a libertarian which is a very different thing.

Derek McTravers

Is Rousseau just straightforwardly wrong then in thinking that total freedom for each individual can be preserved by a total alienation of all their rights and interests to an association?

Timothy O'hagan

The, I know total alienation looks like this, again Rousseau's words, 'All these clauses of *The Social Contract* come down to a single one, namely the total alienation of each associate, with all his rights to the whole community'. Then he gives a rationale for total alienation.

Derek McTravers

Can I just break in here? By total alienation Rousseau means that individuals give away their rights to pursue their own interests, to plan their own lives – but why would Rousseau think that would be a good thing?

Timothy O'hagan

Why so? Well, if some rights were left to private individuals, there would be no common superior who could judge between them and the public. Now that seems to say, if anything is left unalienated, then each person is going to be able to judge on any matter of right or wrong for himself, certainly directly to anarchy. Liberals want to say that's not right. There has to be an alienation, so to speak, a giving up of one's right to exercise force over other people, that must be put in the public domain, but it's quite compatible with that, say the Liberals, that a large swathe of one's so-called private life, including perhaps one's views on morality, on religion, and all the rest of those areas, should be left up to the individual.

Derek McTravers

Okay. So on Rousseau's picture nobody's left with their private rights so nobody has any rights they can exercise against the public. The Liberals say that we have to give up certain of our rights, the exercise of force over other people, but we retain some rights with respect to our private lives, so Liberals need to draw a distinction between public and private. But doesn't Rousseau himself draw this distinction later in *The Social Contract*? I admit he thinks it is the state itself that stipulates where the distinction lies, but the separation of public and private is still there. Is this just one of the contradictions in *The Social Contract*?

Timothy O'hagan

No, I don't think it's a contradiction at all. The driving force of that rationale is again I think wholly consistent. People should indeed be left to sort out their own affairs, in so far as those are only their own affairs, and in so far as those don't bear upon the public good or the public safety, but he says, immediately it is up to the sovereign to determine where that limit is to be drawn, and so the whole thing does indeed, I think, hold together. One allows for a public/private composition but one allows for no remotely absolute lines as to where the public/private line should be drawn. That's entirely within the remit, as it were, of the sovereign body.

Derek McTravers

Does this allow an opening for somebody who'd want to defend Rousseau as a Liberal to say, well, it surely can make sense for the sovereign to put the line between public and private at roughly the place where the Liberal would want to put it?

Timothy O'hagan

That happy outcome might turn out to be the case. I suppose all I'm trying to suggest still is that there is no guarantee of that within the logical structure of Rousseau's story. You see, I mean, coming back to where you were asking before what do I think the point of the whole book is? Well I think it's meant to be a book about how to replace the absolutism of the ancient regime by a radical polar opposite of it, namely the absolutism of popular sovereignty. And a crucial part of that is that the sovereign people should take over the whole of those powers that were previously bestowed upon the absolute monarch. And the key to doing that is to put the legislative process in the hands of the people, so the downside of the ancient regime is its arbitrariness, its unpredictability, its picking on individual persons, and so on and so forth. It's a regime, as Rousseau sees it, that is systematically unsystematic, it can't be tied down, it's unpredictable, it's capricious, it's not ruled by the rule of law. And Rousseau's hope is that it's the rule of law in the hands of the sovereign people that will control the activities of the sovereign people in a way that the absolutist monarchies that it's trying to replace were uncontrolled. The liberal critique then comes, so to speak, after that which I take to be logic of replacement of one's absolutism by another, as saying that absolutism 'tout coir' is bad.

Derek McTravers

Right, right.

Timothy O'hagan

That's an extremely crude approach and, as I say, not at all a popular one in the present day, there is a much, much more nuanced feeling that Rousseau can be made compatible with Liberalism. I guess I'm actually a rather an old guard person on that point, but not on many others.

Derek McTravers

So the contrast is between the Liberal, who thinks the distinction can be drawn in absolute terms so that our private concerns can be protected from the state, and Rousseau, who thinks that the state itself is what sets the distinction between public and private, and once we let the state do this the guarantee of protection is just not there.

Timothy O'hagan

It does seem to me this is an extremely fascinating part of *The Social Contract*, I mean it really does seem to me this is the bit where it's most relevant to contemporary politics. I'm not thereby trying to claim that Liberalism, whatever that might be, has the answers necessarily more readily available than the Rousseau position. All I was trying to do was to say that I really do think that they are quite radically different. The problems with Liberalism, of course, are equally just where to draw the line, so I'm not trying to claim that it's any easier to be a Liberal than it is to be a Rousseau-ite absolutist, all I'm trying to suggest, however, is that these do seem to me to be quite radically different positions, each with its associated problems.

Derek McTravers

It's long past time we focused on some of the key concepts in Rousseau's positive proposal. The first is Rousseau talks about the notoriously difficult distinction to draw between the will of all, and the general will. What do you think the distinction between those two things is?

Timothy O'hagan

This is in a sense the trickiest question that runs right the way through the centre of the book and, in a way, brings us back to a lot of the things we've been talking about already, about the distinction with Liberalism and absolute popular sovereignty. The important point is that the will is at the basis of modern contract theories of political legitimacy. A political order in the modern version, in a sense from Hobbes on, is legitimate if and only if it's agreed, endorsed or, in Rousseau's terminology, willed by its members. So therefore we have to go right back to the very beginning of the book, *The Social Contract*, Chapter 1 of Book 1, the basic question is: why should members of society obey its laws? Should they? And then three possible answers are proposed by Rousseau - either because they're forced to do so, or because it's natural for them to do so, or because they've agreed to do so. And Rousseau devotes quite a lot of the opening sections of *The Social Contract* to ruling out the first two, force and nature. And he suggests that the only thing that left from that is agreement. Now the people as a whole, the thought is here, must endorse the basic political order they live in, in order for it to be legitimate. Now I think it's very important that this is all right at the beginning of the book, this is what runs the book up to Book 1, Chapter 6, when we actually get the contract introduced. There's then another completely different level which is the level at which the general will is discussed. Does that make sense? Part of the contract is that we put our powers under the supreme direction of the general will, but the general will then comes to operate once the society, once the political order is going, so these are logically at two different levels, or if this were a chronological story, chronologically different stages. So the general will then operates, if you like, at the level of governance, and it assumes we've got the legitimate political order in place, it's been endorsed, so to speak, or is endurable by the people as a whole. So once we get governance happening, then the problem of the general will, I think, is in modern terminology a problem about how we can get a rational consensus and how we can get social choice expressed. And we've now got much of the rest of the book concerned with the mechanisms of expressing social choice rationally and legitimately. Now some of the things here are simple and procedural. You need some kind of majority vote, you need some kind of electoral system so that the thing will run. These are, in a way, elementary nuts and bolts, but alongside that there's a more fundamental question, trying to decide how we ensure that the outcome of this voting procedure is actually going to

yield good decisions and, of course, part of Rousseau's trick is an attempt to show that if you have the most perfect procedures embodied, then that will deliver the most perfect outcomes.

Derek McTravers

But why should these procedures really guarantee the perfect outcomes?

Timothy O'hagan

Well I think Rousseau there has again some other major, but not always clearly identified, conditions attached. First, there must be no factions, as he calls them, something to do with pressure groups, something to do with improper bodies within the social whole, but there must be no factions. And secondly there must be no major inequalities of wealth and power, and they're actually connected, he thinks that factions are, in a sense, going to come almost inevitably when you have major inequalities of wealth of power. Providing you've got those, and providing you've also got rules for ordering assemblies then, and only then, will the outcomes be legitimate outcomes.

Derek McTravers

Rousseau does set himself an incredibly high standard of what's going to counter the right outcome or legitimate outcome. You would have thought of here's an association, need to make a choice about something, well some people are going to be happy with that choice and some people are going to be less happy with that choice, but to Rousseau, the way he states his fundamental problem, seems to say well it's got to satisfy each and every individual in the association.

Timothy O'hagan

Well, let's look at it this way. Maybe it's not quite so crazy. The basic structure has to satisfy everyone in the association, sure, that's what constitutes legitimacy. You might say that's putting things too high but, nonetheless, that is his view and that seems to me to be not a crazy view, that might be thought to be the basis of having a legitimate set-up in the first place. Once you've got that, then not every vote that's taken is going to satisfy every person equally each time. What's got to happen though is this, that there is a level on consensus that each person can be confident that even when one has been in the minority this time, and one has had to fall in with the majority vote, that you can be sure that the next time round when the positions are changed, and you are then in the majority, then those that were previously in the minority will in turn have to fall in with the vote. That's just the elementary rules of the game, you might say, of majority voting. Those, you might say, are the rules that govern any committee, or the running committee of the tennis club is going to have to run that way but, more to the point, it's got to be that there is some confidence that you're not going to turn out always to be in the minority, you have got to have ground for confidence that in virtue, say, of your sex, or the colour of your skin, simply running the rules of the game are not, in fact, going to discriminate against you as the system runs. And Rousseau thinks that that part is going to be satisfied by his added, more complex, and more concrete conditions about factions and equality.

Derek McTravers

Right, so if you've run the procedures, and you've got the right outcome, Rousseau suggests that even if that wasn't the outcome that you wanted prior to making that decision, then you have to identify with that outcome so each individual has to adopt a general will and somehow make the general will their own. How does that work?

Timothy O'hagan

It is undoubtedly true that Rousseau thought that the running of a well ordered society is closer to the running of a team, a military unit, or some grouping in which there is a much closer identification of interests between the participants and the goals of the team, or the group, or the unit, than seems to be probable, acceptable, or even desirable in a modern pluralist society. I'm running my, if you like, Isaiah Berlin thought that different values come at a price. The price is, I think, a greater degree of identification that undoubtedly is something that Rousseau was looking for on the part of the participants, than most Liberals are going to be happy with. And simply suggesting, however, that it doesn't follow from the fact that Rousseau wants to foster the conditions of greater identification, that each and every person

has to agree with the outcome of each and every vote. Those two things, I think, are not the same.

Derek McTravers

So what you're saying is that each individual is as free as they were before they joined the association because they freely assented to the decision-making procedures and are confident that the outcome of the association's decisions will be right?

Timothy O'hagan

I think that's a very major component of it, and I think you've put that in a nutshell. I think there are other components of remaining free as before which are, in a number of ways, connected with that basic core. One enemy that Rousseau has throughout his political writings is what he calls, 'dependence personnel', personal dependence, and his thought is that the ancient regime is a regime in which individuals have improper arbitrary power over other individuals, and those who are in the subordinate position are dependent upon the persons of these powerful people in society. And he thinks that his regime will liberate people entirely from dependence personnel. People will be dependent on, and only on, the sovereign body of which they are equal members alongside all other equal members, and that again he thinks is a form of freedom which was systematically denied people in the regime he was trying to overcome.

Derek McTravers

What is it that people then think is dangerous in Rousseau's system because what we've got is a confidence in perfect procedures, and a confidence that our views will be listened to as individuals, a confidence that we might be right next time. Then why have people thought that Rousseau's line of thought licenses a more totalitarian approach or people have found an undesirable element in it?

Timothy O'hagan

They think that the suspicion is well founded. Rousseau is an absolutist. He does not believe in the division of powers. He doesn't, whatever one may say, believe in what John Locke called the 'impartial umpire'. Once the sovereign people are up and running, and legislating, then there is no third party to arbitrate between the individual and the sovereign people of which he or she makes up a part. That, despite all the guarantees that have been written in, despite the voting procedures and the rest, I think once the total alienation has taken place, and once we have an absolute unrestricted sovereign people in full command of legislation, such that there is nothing outside that sovereign people and its legislative powers, then I think that the possibility of any particular individual finding that he or she may be manipulated, used and improperly treated, that possibility is not ruled out by any part of Rousseau's system.

Derek McTravers

There's some matter of disagreement that could happen between the individual and the association which isn't just going to be a case of the individual being in a minority this time. Could you just give an example of the kind of dispute that might crop up?

Timothy O'hagan

It would seem to me to be at least quite conceivable that the sovereign people might decide that certain kinds of, let's say sexual practices, or religious beliefs, or religious ceremonies, might be forbiddable for reasons that would be within its power to decide, and even though it's true that the next time round one might find one was in the other camp, assuming that one is a practitioner of that religion or of those sexual practices this time round, it seems to me there is nothing within the system which prevents it being the case that this time round you will not end up the object of persecution. I can't for I see what there is from within the system that guarantees one against that happening.

Derek McTravers

Right. Now this, of course, is the area where Rousseau came up with this claim that people should be forced to be free. Why do you think Rousseau came up with that expression, and how does it fit into the logic of his thought?

Timothy O'hagan

Well, once again I think there's a relatively anodyne reading one can give to that, and a more acerbic reading, if you like. The anodyne reading is that you give your assent to a system which ensures the workings of the majority vote. The free operation of social choice depends, and depends entirely, on those who have disagreed falling in with the decision of the majority. If on any occasion those who disagree are simply allowed not to do what's been agreed, then the mechanism of government simply breaks down. In this sense, being forced to be free means being forced to go along with the rules of the game which guarantee that you will be able to reap the benefits of the free activity of the group as a whole.

Derek McTravers

Is that fair enough?

Timothy O'hagan

I think that's the minimum. I think that Rousseau is also tempted by a more extreme view than that, and he says as much, namely that you will in a strange way see that you are actually wrong when you voted against what turned out to be the general will. That seems to me in a way to be radically different and that's the point, I think, where Liberals, again, have reason to be suspicious.

Derek McTravers

Right. So the decision of the majority becomes your decision, regardless of what you had voted for?

Timothy O'hagan

Well, yes. I mean there can be a sense in which we all, even in our tin pot democracies that we live in, we kind of have to go along with that, I mean even those who may have voted against a particular government are bound by its decisions, and it would be hard to deny that even when one votes against the outcome in an election, one is still reaping the benefits of the general operation of governance that goes on, despite your initial vote against the particular outcome, so in that elementary sense I think that Rousseau is right. If he's trying to say something rather different, namely that ah, I realise now that I made a mistake, then that seems to me to be a really quite radically different view from the anodyne reading of being forced to be free.

Derek McTravers

Can I just take you to a different part of Rousseau's writing in *The Social Contract*, and that is this rather odd evocation of the legislator or the law giver – why do you think Rousseau needed this mechanism, and do you find this a particularly satisfactory part of *The Social Contract*?

Timothy O'hagan

I think there's been a good deal of misunderstanding of what this person's doing. I see you're tempted to call him the 'law giver' which I'm tempted to as well, I mean it seems to me it's a good deal clearer to call him that, but the person has a very specific function which is to devise a constitutional order for a particular people. How is he to do it? Well, Rousseau says this is an almost divine task because the people itself, since they are only coming together to form themselves into a constitutional order, are going to be incapable of doing it for themselves. I'm not claiming that this is a wholly satisfactory story but it does seem to me to point to a real part of the real political process, the sort of thing that, for instance in the United States the founding fathers did in drawing up the US Constitution, it seems to me that at that level of concreteness that the law giver is operational.

Derek McTravers

Is there a tension between saying that the fundamental principles of the association are the deliverances of the general will, and saying that they're written down by the sort of quasi and mythical divine figure who is the law giver?

Timothy O'hagan

That seems to me what's entirely wrong, you see, I mean I think that's not it. The terms of *The Social Contract*, Book 1, Chapter 6, have to be endorsed by the people. The actual concrete forms of the constitution, Book 2, Chapter 7, are at a later stage from that because these are, so to speak, coming from two different stages of the process. Book 1, Chapter 6, stuff about the fundamental rules of legitimacy, the basic norms, material about the particular constitution for a particular country, or a particular society, Book 2, Chapter 7, 'Law Giver', and then questions about how actually to run a political process once you've got it legitimate, and once you've got a constitution, that's when questions about the general will and the will of all come in.

Derek McTravers

Right. And where does Book 3 come in, all these thoughts about government, different forms of government?

Timothy O'hagan

That I take it is the sort of stuff that the law giver is highly versed in. He has mastered all those rather tricky ratios that are outlined in Book 3, I mean that would be the kind of guidelines of any ratios that he'd be working from.

Derek McTravers

Right. And what do you make of Book 3, I mean some of it does to modern eyes reads a bit oddly about this, the ratios of population to kind ofI mean is Book 3 more a product of its time than perhaps the rest of *The Social Contract*?

Timothy O'hagan

Rousseau was much given to schoolboy mathematics. He was extremely numerate, Rousseau, completely self taught. He was particularly intrigued by the calculus, and he was intrigued by all kinds of other mathematical formulae, and he was actually rather good at them all. But he ran this schoolboy mathematics through Book 3 with, I think, a very political agenda, and it all led up to a rather elementary outcome which was that the larger the society that has to be governed, the more autocratic it is going to have to be. That's actually the denouement of the whole of this complicated and extended set of ratios that he gives us there. And the corollary of that is that since Rousseau is going all out for something as close as he can to popular sovereignty, and to an immediately responsive form of government to its popular sovereign master, the smaller the society the better.

Derek McTravers

Could you just run through for us the difference between the law, which is the deliverance of the general will, and a decree, which is the deliverance of government?

Timothy O'hagan

You remember that the government for Rousseau is described as merely the servant, agents of the government he calls the 'commissaries', merely the agents of the sovereign people, they have no autonomy. This is actually a curious doctrine. It means there is actually no proper division of power at all, even there. Once again, the government is merely on the payroll, so to speak, of the sovereign people. The job of the government is to execute the laws. It's roughly, according to our normal understanding of the division of powers, the executive, and it executes the laws and the laws are always and entirely general, that's another crucial thought for Rousseau, they describe only general categories. The government executes the laws, puts them into practice, and also acts as magistrates, in other words there's no division of powers between judiciary and government in Rousseau's system. The job of government, therefore, is particular; the job of the sovereign people is general.

Derek McTravers

What is the difference between the will of all and the general will, or is there is a difference between the will of all and the general will?

Timothy O'hagan

The two can't be defined separately. Both the general will and the will of all are forms of social choice, both presuppose that a basically legitimate political order is in place, i.e. one founded on consent. Both presuppose that there's some mechanism for expressing social choice, the will of the people. The difference is that when the mechanism is effective, i.e. no factions, no inequalities of wealth and power, and proper assemblies, then each will vote as an individual, and as we've been discussing already Rousseau holds that a rational choice, a rational consensus is guaranteed, that's the general will. When one or more of the conditions is not satisfied, i.e. there are factions, there are radical inequalities, there aren't properly ordered assemblies, then each will vote as a particular, i.e. as a partisan person. I think the distinction between individual and particular is very important here. One's meant to vote as an individual, for oneself, but one's not supposed to vote with particular, that's to say partisan interests in play, and that will when there are factions, that will happen when there are pressure groups. Once again, anyone who's been on committees will know exactly what Rousseau is talking about. You think that effectively there is a vote being taken on the motion before the committee, and it turns out that systematically two or three people on the committee are voting in a fashion that seems to be in some way peculiar, and later it turns out that actually these members of the committee have been nibbled by some interest outside. That's the kind of thing that Rousseau is thinking happens when the general will gives way to the will of all, and he gives his own story of how this comes about.

Derek McTravers

Could I ask a question that's going to take us more into abstract philosophical speculations? I can understand people having a will because that's something that are in the world, and problematically I have a will to go and buy a new car or something – I can understand the will of all which is in some way a collection of individual wills, but the general will seems a more abstract notion than those two. Is there room for just saying well, it just doesn't exist?

Timothy O'hagan

I agree, we've got into the very kind of most elementary and basic part of the whole story. Are there such things as joint decisions which are truly joint decisions, rather than just decisions made by two people at whom a compromise is fine between their two decisions? Do you think that the only real agent is a particular human being, or do you think that there can be agents who can be collective agents? Rousseau thought, of course, that there are collective agents. In order to argue for Rousseau's position, I suppose, you would have to identify actions, decisions, acts of will, whatever they might be, that would be actions, decisions, acts of will of the group which could not be reduced to a simple addition of the acts of will and decisions of particular persons, they would clearly be connected with the particular decisions, and so on, of the individuals but they would not be, so to speak, ontologically, metaphysically reducible with our two. The question you posed me is so massive that in order to start demonstrating that I think we would really need another hour or more to do it, but your point is extremely well taken, but I think it's quite clear that Rousseau is committed to the thought there is something more to the social act of will, the social decision, than simply the sum of a bunch of individuals.

Derek McTravers

I agree with you. Perhaps we'll just have to grant that to Rousseau in order to get the discussion going. In fact it's supposed that there is a matter of fact about what the best thing it would be for a society to decide, something that's just going to be in the best interests of that association. Now how can Rousseau guarantee that there will always be a coincidence between what the members of the association think is in their interests via this procedure, and what is in fact in the association's best interests?

Timothy O'hagan

I think that Rousseau's strategy in trying to give his answer to your question is extremely fascinating. It's always negative. What he does is, he identifies factors which will distort, he identifies roots which must be blocked off, he identifies, so to speak, the sources of error and the sources of distortion, and then the thought is that what remains must be right. But the thought that somehow you can then go beyond that to some point that is wholly outside the particular people and its decision-making procedures, for that he gives us no satisfactory

answer, and the reason may be that Rousseau really is not even just a modern thinker, but perhaps almost a post-modern thinker. I think there is a radical lack of foundation to his story beyond what I've been trying to tell you, and this negative procedure, this procedure by blocking, by identifying the sources of error, seems to me to be very central to *The Social Contract*.

Derek McTravers

One of those negative factors which he did deal with, which was that the part of *The Social Contract* that seemed to have caused him most problems in his own time, were his comments on religion and civil religion, when he appears to enlist religious belief in the service of the state, and there's some elements of that chapter which have struck people as being sort of very liberal, or very worrying. Do you have any thoughts on that chapter?

Timothy O'hagan

Yes I do. It's very interesting that the scholars have shown that Book 2, Chapter 7 on the 'Law Giver', and Book 4, Chapter 8 on 'Civil Religion', were written back-to-back, and the two chapters have quite a number of things in common. They both invoke factors outside the logic of the rest of the book. The Law Giver, you'll remember, is thought to have semi divine properties and characteristics and, as you say, the chapter on civil religion takes us suddenly into religion, even though the logic of the whole of the rest of the book is entirely and rather radically secular, and non-religious. So what's going on in Book 4, Chapter 8, the chapter on civil religion, it's an extremely complicated chapter. The rational kernel of the chapter is that every society needs some kind of ideological glue to hold it together that at least is Rousseau's thought and it seems to me to be a very plausible thought.

Derek McTravers

So Rousseau's going to use religion to provide the ideological glue to hold his state together, and presumably such a glue would need to appeal to everyone in the state, but do you think his dogmas of civil religion would appeal to everyone?

Timothy O'hagan

All of them are actually quite exposed, theological dogmas. The existence of a powerful, intelligent, beneficent forcein providential debility, the afterlife, the happiness of the just, the punishment of the wicked. Now this is a reasonably minimal direct set of doctrines, there's no particular Christian doctrine attached to any one of them, it's common to Catholicism, Protestantism, arguably Judaism and Islam as well, but nonetheless it would exclude large numbers of people nowadays, and arguably extremely large numbers at least of the intelligentsia in Rousseau's own time, in fact virtually all of Rousseau's contemporaries amongst the theosophy. So just why does Rousseau feel the need to import these particular doctrines in to back up his political theory? Well, it's for, I think, a number of different reasons. One is he had an intense dislike of the atheistic, sceptical members of the theosophy community who he moved amongst. He thought that their doctrines were destabilising and, more to the point, he thought that they were against the interests of the core and the oppressed, who so thought that actually atheism was the moral impoverishment of the people. Rousseau thought, in other words, that some degree of actual religious belief is essential for morale in order to maintain the social health, if you like, of the state. And it's quite evidently true that this far from being the standard view at the time, at least amongst intellectuals, would have been regarded as quite remarkably reactionary and old fashioned. This goes hand in hand with the fact that he was also regarded by the established churches as being utterly unacceptable since in the earlier parts of the chapter Rousseau argues that Christianity, at least as practised, is a radically anti-social religion, and a religion which is actually very dangerous for the moral health of a state. So the status of Book 4, Chapter 8 on civil religion is very bizarre, in other words it's fuelled by these different sources of Rousseau's general belief system, the central one, namely that there needs to be some ideological glue over and above merely the habits of law abidingness, but beyond that the particular moves he's making here to try and enshrine and enforce by law these minimal dogmas of civil religion which are theological without being specifically Christian, these seem, it seems to me, to be quite, quite strange and evidently, as you say yourself, got Rousseau into more trouble from both his atheistically critics on the one hand, amongst the theosophy,

and his religious critics on the other hand amongst the established churches. It is one of the crucial reasons why the book was banned quite as much as it's critical political thrust.

Derek McTravers

Rousseau is most adept at making enemies in the book. You said in your reply that considering that societies need an ideological glue is an acceptable position, but isn't there something odd about this? I mean to put it in its darkest terms, Rousseau realises he faces a problem. In order for his system to work he needs to be good citizens, he hasn't really got any good reason why they ought to be good citizens so instead, for want of a better word, he sort of brainwashes them with a lot of non-rational religious belief. Now, isn't there something rather worrying about moulding people's views in this sort of persuasive, but not rational way, to make them good citizens?

Timothy O'hagan

Rousseau's been worried from the very beginning of the book about the problem of the free rider, the person who relies on the law-abiding habits of his neighbour in order to break the law himself, the one who doesn't pay his taxes, the one who wants to enjoy his rights as a man without performing his duties as a citizen. So however good the society is, even though it is effectively working for the good of all, it's an unhappy and brutal fact that there will always be free riders around. Rousseau's thought is that free riders can be punished by the law, but it is going to be an unstable society in which you have to inflict punishment by the law, rather than educate people to obey the law because they want to. And at least part of what's going on in his dogmas of the civil religion is an attempt to get people to obey the law of their volition, rather than because they're forced. Now it's true that he does bring in these added theological components in the first dogmas, but if one focuses on the last two dogmas, namely the respect for *The Social Contract* on the one hand, and the forbidding of intolerance on the other, it seems to me that that's the nerve of the ideological glue, which perhaps the other more specifically theological components might be stripped.

Derek McTravers

Rousseau, he's got that ideological glue, he's got the threat of punishment – does he have arguments as to why we should not be free riders?

Timothy O'hagan

His overriding argument is that on the one hand that it's unjust, and is once one's conscience is educated one will see that one should not exploit one's neighbours, and of course Rousseau does believe that we are endowed with a conscience, but he also holds in a more pragmatic, a more rational choice fashion, that any society in which free riding becomes generalised will become rapidly a radically unstable society, and as it enters that stage of instability, all will suffer, including the free riders themselves.