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MODES OF RECIPROCITY IN ROUSSEAU'S THINKING

Introduction

On Recognition in Hegel's Philosophy of Right

In this article I will attempt to study the thematic field in Rousseau's thinking associated with Hegel's concept of recognition (Anerkennung). I shall be rather brief with the Hegelian background. As concerns Rousseau, I can in general take only his most central works, the *Essay on inequality*, *Émile* and *Social Contract*, into consideration.

The concept of recognition is found in *Hegel's Philosophy of Right* in a seemingly modest role. One mention is in remark to § 57 and another in § 192. The latter is from the section *System of needs*. This is in turn a subsection of *Civil Society*¹ which can, among other things, be read as Hegel's main account of modern society. The most central issue in the *Philosophy of Right* is the contribution (PR § 187, 194) and the insufficiency (PR § 195) of civil society in realising freedom, the essence of right (PR § 4). That insufficiency implies the necessity of the state both as that realisation (PR § 256) and as an instance controlling the functioning of that society.

§ 192 claims that both the needs and the means of satisfying them belong to a system of mutual dependence between the agents of civil

society. Since this dependence is the effect of an ever-intensifying division of labour, the needs and the means will have *abstraction* as their basic quality. This abstraction means increasing distance from the way of life where an actual need of an agent, the means of satisfying it and satisfaction itself do not fall apart in the temporary perspective of that agent. Even the needs themselves will have that quality of abstraction and become divided (PR § 191).

The abstraction also means *universality*. Every agent has to get his manner of proceeding into congruence with the others, which is possible only by assuming *universal* manner of proceeding. Thus the abstraction is a quality of the mutual relationships of the agents within the system. Both the theoretical and practical culture (*Bildung*) of modernity are based on this feature of labour (PR § 197).

The *form of universality* is the *second* of the two principles of civil society. The *first* is the *concrete person*, the egocentric agency of civil society, “bourgeois” in a pejorative meaning (PR § 182). According to Hegel this agency would destroy the ground of its own existence if left on its own (PR § 185). In part this fault indicates the state. But even from the point of view of civil society that agency is controlled by the form of universality. As an inner force of civil society, this determines certain conditions for the concrete person. If an agent does not respect them he in general will not prosper.

Universality has the more specific meaning of *recognition* (*Anerkanntsein*²) through which the agent, his needs, his ways of action and satisfaction, are accepted in the system (PR § 192). Recognition has to be conceived as the most central characteristic of *any* modern institution, or rather, as the very institutionality of modernity.

The mention in remark to § 57 has even more far-reaching implications.³ Recognition turns out to be the very basis of right because it is a basis of freedom, which as free will in turn is a basis of right (cf. PR § 6, 7).

The position of the free will, with which right ... begins, is already in advance of the false position at which man, as a natural entity and only the concept implicit, is for that reason capable of being enslaved ... The dialectic of the concept and of the purely immediate consciousness of freedom brings about at that point the fight for recognition and the relationship of master and slave. But that objective mind, the content of

right, should no longer be apprehended in its subjective concept alone, and consequently that man's absolute unfitness for slavery should no longer be apprehended as a mere "ought to be", is something which does not come home to our minds until we recognise that the Idea of freedom is genuinely actual only as the state (Knox, 48).

Thus recognition is an important background to Hegel's concepts of freedom and right. Furthermore, it is constitutive to Hegel's concept of *self-consciousness*. The concept of recognition is thus a basis of unity of the theoretical and practical perspectives in Hegel's philosophy. Moreover, for Hegel the concept of recognition is basic to his teleology (cf. Williams, 309ff, 318ff). The latter in turn makes it possible for Hegel to use and rehabilitate much from the conceptual fund of Plato and Aristotle.

I give here only one or two of the most important features concerning the concept of recognition in the phenomenology of subjective spirit⁴. *Firstly*, the concepts of universality and reason are constituted by the completed process of recognition⁵. *Secondly*, both the "theoretical" concept of self-consciousness (reason, universality) and the "practical" concept of freedom are constituted in the process of recognition by *otherness*, the bearer of which will be recognised at the same time and in a structurally identical way (basis of universality)⁶.

Thirdly, the complete process of recognition involves its opposite, the relationship of master and slave which is a process of alienation, losing of one's self, of the slave as well. In this process, however, the *labour of the slave* for the master turns the tables because through this very labour of the slave's universality arises⁷. Therefore the slave is after all the active part of the process of recognition and the master the passive, or adapting part.

From the systematic point of view of Hegel's philosophy, it is unfortunate that the undoubtedly important theme of the master and slave has so much dominated the discussions. Even after the pioneering works of Ludwig Siep concerning the concept of recognition in Hegel's Jena writings, the significance of this latter concept for Hegel's system and especially for his *Philosophy of Right* has not been given the consideration it deserves⁸.

Recognition does not cancel the individuality of the other or of myself⁹. What it means is that any *authentic* individuality is not so

much constituted by protecting one's alleged "original" (innate etc.) treasures against "foreign", e. g. societal influences (cf. § 6, 7) than by transforming the stimuli received from others into authentic parts of one's own individuality.

Rousseau and Hegel

Hegel's relationship to Rousseau is complex. On the one hand he respected Rousseau as a pioneer in issues 1) and 2) on the list below. On the other hand he had reasons to be critical of Rousseau's political philosophy. Quite evidently his distance was partly motivated by the fact that Rousseau was an important source of inspiration to such men as Saint-Juste.¹⁰

There is an impressive amount of essential congruencies between the political philosophies of Rousseau and Hegel. I list some of the most significant ones:

1) The *Philosophy of Right* and *Social Contract* are both theories of a normative legitimacy.

2) a) The highest criterion of political legitimacy is the same, i.e. freedom. b) Freedom is of the same type for both, it implies e. g. strictly¹¹ autonomy and the concept of freedom *contains* the concept of law. c) For both the political version of freedom is substantially and terminologically the same, i.e. the *general will*.

3) Both *criticise* modern society from very similar points of view. For both theories of modern society are at the same time closely parallel analyses of the modern subject. For both these parallel analyses determine the critical problem which the politics has to solve as its essential task.

4) Although the question of freedom remains primary, both are at pains to stress the first rate significance of the problem of common good for the question of legitimacy. For both the common good should do justice to everyone's particular interests, on condition, of course, that such an interest would not contradict with the general will.

5) Political society is not an instrument, compromise or resultant of particular wills or interests. They have an identity of their own¹². For both the general will is represented as a direction of will of an

individual to an extent that the latter can be called a *citizen*. The will expressing individual or particular interests is one's "*bourgeois*" will which is likely sooner or later to contradict with the general will.

6) The themes of freedom and of the common good (in accordance with the former) revive the conception of the classical eudaimonia (Plato, Aristotle) in Rousseau's and Hegel's political theory. True enough, in the modern variation reason is replaced by freedom. But since Rousseau's and Hegel's freedom is of the strictly autonomous kind, e. g. constituted by commitment to laws, it necessarily implies universality and reason. For Rousseau this connection is natural and operational, while for Hegel it is fully thematic and systematic.

In Rousseau the autonomous freedom is identical with morality. Cassirer can therefore describe his view as follows:

For him the goodness of man ... is not grounded in some instinctive inclination of sympathy but in man's capacity of self-determination ... Thus it is not by allowing our instincts to flow freely but by restraining and mastering them that we can secure the highest happiness – the happiness of the free personality.¹³

Cassirer reveals at the same time the common motivation suggesting autonomy as a basic concept quality of freedom. It is indeed the intuition that only creatures possessing personality can be called free.

Modern Subject and Its Conditions

The Essay on Inequality (1756)

The full story of recognition involves an original standpoint of *failed* or *rejected* recognition, such as the dialectic of master and slave in Hegel. From the point of view of Rousseau's *Essay on Inequality*, the fulfilment of recognition seems hardly possible in a modern society. The developing monetary system is likely to destroy its necessary conditions.

Domination and subjection, the relationship of "master" and "slave", is a central theme in the *Essay*. The intensification of this rela-

tionship is connected with the intensification of the division of labour towards and in the monetary economy.¹⁴ Rousseau regards it as evident that the mental dispositions of master and slave have one and the same essence¹⁵. This one basic structure corresponds in every respect to the social structure of the monetary economy.

The failing encounter in respect to self-consciousness can be described as *alienation*¹⁶. The “bourgeois” has only himself in his mind in his material relations with others, but when he evaluates himself he only tries to anticipate others’ opinions. Rousseau does not describe modern man as a creature favourably tempered by the looks of others as does Adam Smith, but as a being-outside-of-itself whose identity tends to lose more and more its authentically distinctive traits. There is no significant difference between a Londoner and a Parisian for him.

A being-outside-of-itself is for Rousseau an aggravation of an originally innocuous human trait. As soon as some coexistence arises between human beings they begin to *compare* things with other things and themselves with their neighbours. This is a first innocent stepping out by the human beings from their absolute oneness of *amour de soi-même* and the beginning of their turn into *relative* beings with *relative* passions of *amour propre*. Again, the intensification of the division of labour carries the development further and in the monetary economy alienation grows into a full pathology.

In a note to the *Essay on Inequality*, Rousseau says:

“*Amour propre* and *amour de soi-même* ... are very different passions ... *Amour de soi-même* is a natural sentiment bringing every animal to care for its own preservation and which, guided in man by reason and softened by pity, brings about humanity and virtue. *Amour propre* is only a relative and artificial sentiment born in society and leading each individual to place greater value on himself than on anyone else. This brings about all the evils that men do to each other ...” (PIII, 219; cf. R&B, 27)

In *Émile* (1762) he remarks that *amour de soi-même* is satisfied if the *true* needs are satisfied, but that *amour propre* which “*compares*” is never satisfied. This is because it demands everyone to affirm that every other is better than everyone else, which is obviously impossible (PIV, 493). In his dialogue *Rousseau juge de Jean-Jacques* (1776), he

says that the original passions principled by amour de soi-même directly concern our happiness and its immediate objects. The development from this paradise towards more and more corrupted amour propre involves substituting for these immediate objects the obstacles between needs and satisfaction, e.g. the development of arts and division of labour. "Its delights are purely negative and it seeks not so much our own welfare than to satisfy itself with seeing the others to miss their luck" (PI, 669). This development changes passions not only into relative, but into hostile passions as well.

Fetscher interprets¹⁷ the above passages as follows. With amour propre arises a new psychic need, recognition, a need to have assurance of one's own identity or self-esteem. Since in the modern condition the self is ever more uncertain of it, one is dependent in this respect on one's fellow beings.

At the same time the development of wealth, or what amounts to the same, *domination*, over others intensifies. The desire for wealth and the desire for might are both *insatiable*. Thus the modern condition produces personalities which, at least by disposition, would like to have anything there is as their property and to be at the same time absolute rulers, e. g. they would like to be recognised by all the others as their superior¹⁸.

Whatever one succeeds in realising such an aim, even in a relative manner, is deemed to remain mere illusion. To see around oneself only misery, wretched people and slaves, amounts to being preferred to nothings *by nothings*. Towards the end of book four of *Émile* Rousseau says: "The rich want to be master everywhere, but he feels good only there where he is not. He always has to flee himself" (PIV, 690). Here Rousseau describes himself as an "other", as an imaginary kind of rich man, who understands that enjoyments are real enjoyments only when shared with others on an equal basis.

The real fulfilment of recognition, therefore, transcends the modern cultural condition. But it is interesting to note, as Fetscher's interpretation shows, that Rousseau has intertwined both aspects of failed recognition, alienated self-consciousness and the master-slave-relation in one and the same corrupt process¹⁹. As indicated in the first section of this article, Hegel did the same for the positive counterparts in his process of recognition (Hegel 10, § 430, p. 219).

Since the above quotations are from very different periods of time, it may seem that Rousseau's thoughts about relative passions were fixed very early. We shall see in the next section that this is really not the case. The *Essay*, to be sure, maintains its negative stand towards relative passions throughout, but even it displays on taking a closer look some indication of their future reappraisal: the favourable assessments of natural man or of savages are paralleled with an anthropological and moral conception based on traits which belong to a rather sophisticated societal condition of man, *rationality, morality and truthfulness*.

The bond of civil society is now *holy* for him, as it is in *Social Contract*²⁰. Thus one may say that the human being is after all not that which natural man is made out to be in the beginning of the essay²¹. Rather it is this being tied to the holy bond of society capable of much more than natural man, of rationality and irrationality, of truth and lie, but above all, of morality and immorality. Therefore the train of argument is not in fact *projective* but rather *reconstructive*.

This is confirmed to certain extent by what Rousseau says about the revolutionary transitions from one way of life to another in the development of humanity²². One can say that the former way of life develops (at least) *necessary* conditions for transition to the next but that at least some of the *sufficient* conditions are radically contingent in relation to systematic explication. I would like to say that the train of thought in the *Essay* is in fact *teleological* in that (in my view) proper sense in which it is purified from any connotation of causal determinism.

Émile

I regard the *Essay on Inequality* and *Émile* above all else as two complementary versions of Rousseau's *anthropology*. The *Essay* describes a "conjectural" genesis beginning with the man of nature, but its real purpose is to throw light on the condition of modern man. *Émile* outlines a fictional genesis of a man brought up outside the corrupting condition of modern urbanity. It might be possible to transpose the reconstruction of the process of materialisation of the mod-

ern condition described in the *Essay*, into the conduct and character of the modern man, as an alternative to Émile's story.

The most general aim *Émile* sets for upbringing is *naturalness*, which can be described quite precisely by means of the antique word *autarchy*, although, to my knowledge, Rousseau did not use the word. Natural man can be said to have this trait only trivially, as a necessity of his way of life. For civilised man, on the contrary, it is either an achievement or an ideal norm with which one has to comply, struggling in general against the conditions of life. *Naturalness* is hardly a proper constituent of the common essence of natural and modern man, if there is such a thing at all.

There is as such nothing wrong in the common practice of calling Émile's education *negative*. Thus as a rule Émile is allowed to proceed in concrete situations without any compulsion by his tutor. But the latter does not let these situations arise casually. Due to of the favourable condition of rural life and manipulations of the tutor Émile's world is very much planned in advance. The tutor keeps Émile's human relationships as far as possible on the level of (frugal) needs, things, possessions, safety, utility and preventing as far as possible further ethical and personal concerns. If possible, Émile should avoid even paying attention to all stronger passions of mutual intercourse.

To understand these principles one has only to remind oneself about Rousseau's assessment of the modern condition as a background for education to autarchy and liberty. It compels a child to meet impulses, objects and sentiments which he or she has no proper powers to deal with before the maturing of his or her reason. In this way it alienates and suppresses both the body and the mind of the child.

Rousseau wants to circumvent, as far as possible, all relationships involving the *contest of will*, because he thinks that just such contacts probably give rise to personal structures of dominion and subjection²³. Secondly, Rousseau wishes that Émile would already be able to use his own autonomous reason in both moral and religious matters before having anything to do with them. He believes that moral reason reaches its maturity approximately as his sexuality begins to tell. This is convenient enough as sexuality is Émile's first strong passion impossible to circumvent because of its inner origin. Thus Émile's education respects his right to articulate the world from the point of view of his

own developing self-consciousness and the powers it has at each particular time. It is therefore education to autarchy and freedom.

But really remarkable is the *point of reflection* in Émile's upbringing. As indicated above, Émile's sexuality and his self-conscious reason are maturing at the same approximate time. This implies a radical change, a *crisis*. Hitherto Émile's tutor has controlled his education by exploiting his ignorance. Now it is both *necessary* (sexuality) and *possible* (autonomy) that Émile should himself take full responsibility for the conduct of his life and do so in the light of his own knowledge. At that point of reflection the tutor lets Émile to take a retrospective look at the past. The whole previous network of manipulation will be made totally transparent.

We may conclude that Émile's story is based on fully equal or symmetrical recognition. Its major difference to Hegel's conception of recognition is that it involves no element of struggle, as the contest of wills is explicitly eliminated. Can we explain this difference entirely by the fact that Hegel viewed the process of recognition as historical, involving a stylised genesis of the modern world through labour? For him the struggle belonged mainly to the past and its results were firmly ingrained the modern society.

Rousseau saw the modern condition as an on-going struggle between the mighty and rich against the weak and poor. He could see nothing positive in that struggle. Besides, even universality which Hegel considers as a great gain from the struggle, is in Rousseau's view for the most part just an impoverishing process of homogenisation. There is nothing but danger for the process of education in the modern condition.

According to Hegel civil society is a "tremendous power which draws men into itself"²⁴. Thus, a member of the "bourgeois" estate proper (*Stand des Gewerbes*) is wrenched from the nest of the family and "thrown back to itself"²⁵. It seems likely that this creature, being spirit itself, must therefore reproduce on a smaller scale something of the historical struggle of the modern spirit where he, like it, "has so overcome the antithesis that it maintains itself in it and integrates it in itself"²⁶.

Recognition on the basis of the civil society is for Hegel, too, far from easily guaranteed. In fact the concession Hegel makes to Rousseau concerning the bourgeois is remarkable:

"Unless he is a member of an authorised corporation ... an individual is without rank or dignity, his isolation reduces his business to mere self-love ... Consequently, he has to gain recognition for himself by giving external proofs of success in his business, and to these proofs no limit can be set" (*PR* § 253, remark, Knox, 153ff; translation slightly amended).

On the one hand Rousseau is not aware of the struggle won, but on the other hand the struggle won is not sufficient as such but has to be reinforced by special institutions, such as corporation and state. Notwithstanding, there is a fair question to be asked of Rousseau, from Hegel's perspective: does not the self-consciousness of a spiritual creature lack something important if he lacks the *struggle* for recognition?

The oddest idea in *Émile's* education is surely the suspension of moral upbringing up to the point of reflection. It loses a little of its oddity when we take into account that the word "moral" means here full autonomous practical self-consciousness and moral responsibility. Rousseau makes it clear that there has to be *some* concern for *Émile's* conduct much earlier. He gives us in *Émile* a very illuminating lesson about this (*PIV*, 329ff). Through a highly contrived incident *Émile* has to learn to respect *reciprocity* in relationships with other persons.

The substance of the lesson is property or rather, in this case, possession. *Émile* learns that his claims to it will be respected to the same extent he himself respects the ownership of others. Rousseau takes property to be a category of right and freedom. Elsewhere he holds that property is politically in the first place not a means of living but a foothold of freedom (*PIII*, 262; R&B, 75).

Before the "point of reflection" the tutor extends by and by his *Émile's* perspective of society to comprise the division of labour and even money as the "true nexus" of the latter and of society in general. But even then the perspective remains in the confines of utility, not taking into account such ethical considerations as patriotic love let alone morality in the strict sense mentioned above. Considerations of morality, religion and the fundamental principles of *Social Contract* are pushed beyond the "point of reflection". Roughly speaking, *Émile* remains in the confines of "abstract right" before the point of reflection and only thereafter has to confront issues of "ethicality" (*Sittlichkeit*), using Hegel's terminology.

Rousseau analyses reciprocity in greater detail. He considers the promises of a child and agreements (contracts) with a child. These categories can in principle be applied advantageously as soon as the child really understands their meanings and “has a relevant kind of future”. Furthermore, Rousseau mentions the reciprocity of services as a favourable instrument in the education of the child, having the effect that the child comes to regard himself as “something”. But he also has a more sceptical remark: “something” might begin to play a domineering role in the life of the child. This would leave the door ajar for relative and egocentric emotions, e. g. amour propre (PIV, 421)

Earlier Rousseau had said: “now we have entered the field of virtues and the door is open to vice as well” (PIV, 334ff). To my mind, this tension or ambiguity is typical of Rousseau. The positive and the negative are intertwined under the modern condition in an incurable way. But how could the situation be otherwise? Is not virtue for Rousseau, as it is for Kant, not so much right conduct but the praiseworthy overcoming of vice, the more praiseworthy or virtuous the mightier the real temptation was? Modern man is thus *to the extent* morally virtuous, truthful or rational as he also has developed evil, deceitful and irrational dispositions. According to Rousseau, none of those correlative contraries can be applied to natural man or savages. And they apply to barbarians in a much weaker sense than to modern people.

I already noted that in the *Essay on Inequality* Rousseau’s opinion about modern society was not merely negative. In *Social Contract* he says:

“Although in this state he denies himself several of the advantages he owes to nature, he gains others so great - his faculties are exercised and developed, his ideas are extended, his feelings are ennobled, his whole soul is so uplifted - that if the abuses of this new condition did not often degrade him beneath the condition from which he emerged, he would constantly have to bless the happy moment that tore him away from it forever, and made a stupid and shortsighted animal into an intelligent being and a man “ (PIII, 364; R&B, 95).

Here the advantages are stressed and corruption made into a subordinate clause, but this is for the most part due to the political aim

of *Social Contract*. As in the *Essay* and in *Émile*, the underlying view is *tragic*: what is holy in the fundamental human constitution, and hence holy as a possibility of man, is incurably intertwined with an equal or likely possibility of the deepest evil and corruption.

In my view, Rousseau is also in two minds about the modern condition. The assessment of it implies a question which is significant both to Rousseau and to Hegel: what kind of *political solution*, if any, is possible to this corruptible modern condition? For both this question concerns political legitimacy, right and freedom.

For Hegel the constitutions of modern reason, self-consciousness, society etc. all have, in his view, recognition as their substantial constituent. As we have seen, however, for him the reality of recognition was still unaccomplished on most levels, especially on the political one. It was a claim or idea to be vindicated in future. On the other hand it was an idea which Hegel considered to have a firm basis in many material and argumentative practices of modern society, *a substantial* idea instead of being mere obligation (*Sollen*).

For Hegel European development was some sixty years older than for Rousseau. Therefore its dynamics were in his eyes inevitable and irreversible. Rousseau was no more aware of such dynamics than he was aware of "commercial" society. His anticipation of "a century of revolutions" after intensified corruption of the great European countries has nothing to do with these dynamics.

In the *Essay on Inequality* Rousseau has nothing positive to say about relative passions. However, step by step he comes to realise that not all relative passions can be considered corrupt. In *Émile* he has to admit that a passion can be restrained only by another passion. Since in civilised society the original restraining emotion, commiseration or pity is no longer effective, the restraining passion must be a relative or comparing passion. Some passions have to be both relative *and* good.

Above all love is a good and relative passion which can restrain bad passions, particularly excesses of sexuality. It is already a small victory that it concentrates this strong passion on only one person. Besides, love is not blind but has reasons behind its selectivity, if only subconscious reasons. Its beginning is usually physical but as in Plato's *Symposium*, it also can become attached to more spiritual and virtuous qualities. If this happens, which is far from necessary,

love becomes an ethical passion and a ground for ethical life on the whole.

The love between wife and husband has an interesting parallel with patriotic love, another relative passion which can become ethical. Patriotic love might lead a person to prefer the common good and general will to his personal one. It comes close to what Rousseau regards as virtuous in general, the “love of order”: you shall not make yourself the centre of all things, but remain content on the “periphery” and with having only one’s due. Rousseau allows the possibility of transformation of amour propre into a virtue by extending it to other people. (*PIV*, 547)

Rousseau believes that even a rather poorly governed country or an “illusion” of law can present some image of order and that no one who was not a good citizen before can be a good man. It is however important to understand that the ethicality of patriotic love is not morality in a strictly autonomous sense. It is quite in order to see in Rousseau one of those Machiavellian republicans who think that the principle of a political community is virtue. However it is not correct to think that the basal virtue of a political community should be anything more than it is in this tradition in general: patriotic love or as Rousseau also likes to call it: the love of laws.

Rousseau claims that authentic love and friendship presuppose reciprocity and respect (*PIV*, 520ff, 798). Ludwig Siep has established that in Hegel’s Jena manuscripts the concepts of recognition and freedom have four central constituents²⁷. Recently Robert R. Williams has argued vigorously that these features also belong to Hegel’s later conception²⁸. It may not be surprising²⁹, but perhaps worth noticing, that Rousseau’s account of love displays more or less those four features, *autonomy*, *union*, *self-overcoming*, *Freigabe*.

Of these union and self-overcoming are trivially constitutive to love. For Rousseau authentic love, like all good passions, is autonomous because it is “subordinated to laws”³⁰. The fourth feature, given by Williams only in German, is *Freigabe*. It means giving up any possessive or dominating stand in the mutual relationship. Indeed, for Rousseau domination spoils authentic love:

“Bonds tied too tight will break. So it is with the bonds of matrimony as well if one wants to bind them stronger than they should be. Fidelity

obliging both spouses in matrimony is holiest of all rights, but the power it acknowledges for each over the other is too much. Compulsion and love match poorly each other." (PIV, 862)³¹

The change of attitude towards relative passions is paralleled by a new evaluation of modern society in general. This change is in turn necessary to pave the way for his political treatise, *Social Contract*.

Social Contract

Presuppositions of the Social Contract

Rousseau begins *Social Contract* by informing us that he is setting out to study whether there can be a social order with a *legitimate* and *stable* constitution. He promises to unite that which *justice* allows with that which *utility* (interest) necessitates.³² He declares that the social order does not derive from nature but rests on conventions and then tries to demonstrate this, basing his argument on the thesis that freedom is an inalienable quality of human nature. Any rightful contract in turn supposes *reciprocity* as well as *equality*³³ between the contracting parties. A legitimate constitution has thus to be founded on reciprocal and equal conventions.

The fundamental problem of a political community "is to find a form of association which will defend and protect with the whole common force the person and goods of each associate, and in which each, while uniting himself with all, may still obey himself alone, and remain as free as before". To this problem the social contract provides a solution based on a *political* concept of strict autonomy (PIII, 363; R&B, 92).

All conditions of the social contract are contained in a single condition, e. g. "that every associate alienates himself totally and with all his rights to the whole community. Namely because firstly everyone submits totally the position equal to everyone and as it is equal to everyone none has reason to be burdensome to the others". Everyone's submission to all amounts to submission to none (PIII, 360-1, cf. R&B, 93).

Therefore the essence of the social contract is: "Each of us puts his person and all his power under the supreme control of the general will, and, as a body, we receive each member as an indivisible part of the whole" (*PIII*, 361; *R&B*, 93). The corporate so arisen is a public and *moral* person, the common I, containing as many votes as members and having from this act onwards its unity, life and power. In a word, it makes this public person capable of activity in a complete analogy to an individual person.

The social contract is, in its full generality, no real act. Tacit consent is perfectly sufficient for the reality of it (*PIII*, 369; cf. *R&B*, 99).³⁴ This together the part of general will plays in the essentialities of the social contract strongly suggests that the reality of a social contract is in the end nothing beyond the actual rule of general will. General will limits particular wills as soon as these enter the sphere of its comprehensive object, *the common good*. This contains the vital ends of political society and, contrary to a very common misunderstanding, nothing else, according to Rousseau's explicit statements (*PIII*, 373, 375; cf. *R&B*, 101-102). As a corporate (common I etc.) the people is the declarer of the general will, *the sovereign*, whose only capacity and exclusive right is to make *the laws*³⁵.

Rousseau stresses that the sovereign should have no executive or jurisdictional power or any other authority to intervene in private affairs of people. But his main reason is not that of liberal checks and balances but to prevent the contamination of the general will by particular concerns and thus from missing the common good. In its perspective every citizen should be perfectly equal.

Clearly the general will (or the social contract) is based on *a fully symmetrical and reciprocal recognition of the members by each other*. This recognition comprises freedom and the common good which is no sum or aggregate of individual interests but has vital ends formed purely by the general point of view. This is correlative to a famous statement of Rousseau: "There is often a great difference between the will of all and the general will" (*PIII*, 371; *R&B*, 100). In the common good particular interests are maintained. This is even a necessary condition of the contract:

"Why is the general will always in the right, and why do all constantly will the happiness of each person, unless it is because there is no one

who does not apply this word *each* to himself and who does not think of himself when voting for all" (PIII, 373; R&B, 102).

Pondering conditions which make a people fit for legislation, Rousseau indicated something significant of the common good. Of such conditions, one of the most important is that a people already has to be bound together by some "common origin, interest, or agreement" (PIII, 390; cf. R&B, 115). Thus such a people already has common interests that may become transformed into substantial constituents of the common good. This transformation Rousseau entrusted to the half-mythical character of legislator. In my view, this character has to be regarded as a wise and powerful *hermeneut* who interprets the existing way of life, wisely, far-sightedly and, to a certain extent, selectively. He should not exclude anything really substantial or introduce too many alien elements. Adopting Hegel's language, he should help a people *in itself* to transform itself into a people *for itself*.

This ethical stand can be more reflected or emotional. In each case it is a different version of patriotism (cf. II. 2). Patriotism may be brutal and prejudiced but there is no path to universal humanity which does not go through love of a social *lawful* order, even if this order is quite illusory from the point of view of right, e. g. symmetrical and reciprocal recognition.

Rousseau's Two Minds

"In two minds", "ambiguous", "tragic" were the words I used to describe Rousseau's position towards the modern condition. As a matter of fact, this tragic or double-edged structure is expressed mostly clearly not in the opposition between morality and immorality, rationality and irrationality etc., but in the very relation of the fact of recognition to its failed versions, alienation, the relationship of master and slave or the insatiable monster produced by their intertwining (cf. II. 1).

It is not easy to have optimism in the modern condition, especially for one who cannot accept as its source either any combination of "innate sympathy" and "enlightened understanding" or corruption

as a “fair price” for commercial prosperity, as Mandeville and Montesquieu do. This may seem to amount to believing that the evil things produced by the modern condition turn into good things when pushed far enough. Hegel certainly did something like that after becoming convinced with the aid of political economists the dynamics of the monetary economy with its less welcome consequences can at best be controlled but not suppressed.

Evil things do not turn into good things by themselves. For Hegel this is done by the power of universality, a *necessitating* one in civil society (cf. *PR.*, § 186, § 187, remark) and a *free* one in the state (cf. *PR.* § 194, § 195, § 258, remark). It (and freedom) has to be as certainly a product of the culture (*Bildung*) of civil society as corruption is.

“The development of particularity to self-subsistence is the moment which appeared in the ancient world as an invasion of ethical corruption and as the ultimate cause of that world’s downfall. Some of these ancient states were built on the patriarchal and religious principle, others on the principle of an ethical order which was more explicitly intellectual, though still comparatively simple ... Hence they could not withstand the disruption of this state of mind when self-consciousness was infinitely reflected into itself; when this reflection began to emerge, they succumbed to it, first in spirit and then in substance, because the simple principle underlying them lacked the truly infinite power to be found only in that unity which allows both sides of the antithesis of reason to develop themselves separately in all their strength and which has so overcome the antithesis that it maintains itself in it and integrates it in itself.” (*PR* §185, remark; Knox, 124)

This *antithesis* is the culture of the system of needs modern society which lets the “particularity” develop into and as (“bourgeois”) dynamics of its own, and at the same time lets the power of universality develop in an ostensibly separate manner and therefore appear as an outside constraining power for the particularity. The power itself is the *real* power of universality underlying both ostensible universality and particularity. This power is the general self-conscious and ethical will of the state which at the same time controls civil society and realises freedom (cf. *PR* § 257). But this power is *in the last instance* also a concrete manifestation of (the outcome of the process of) recognition.

It is more than understandable that Rousseau could not be adequately aware of this quite elusive kind of outcome (cf. II. 2). Thus he could not have much confidence in what he could see of the modes of reciprocity and recognition in the modern condition. They were for him much more a hope and ideal norm than even a weakly ingrained reality. In *Social Contract* he seems to have found the possible sources for recognition not in modern but in the traditional agrarian society with an at most rudimentary monetary system. The case of the very traditional society of Corsica confirms this. On the one hand, the principles of *Social Contract* are remarkably literally manifested in Rousseau's sketch for constitution of Corsica. On the other hand he regarded in *Social Contract* Corsicans as the only fit people in Europe for legislation (cf. *PIII*, 391; *R&B*, 115).

As Fetscher has showed, Rousseau was in *Social Contract* not a revolutionary or reformer "raising a new mission to society, a new future to humanity" but a conservative³⁶. The diametrically contrary thesis by Ernst Cassirer in his classical article cannot therefore be maintained³⁷.

But even more Rousseau was, as again Fetscher pointed out, "a thinker between the ages, as anyone ever was"³⁸ and therefore a thinker "in two minds". As a possible illustration of this, let us take a look at the surviving manuscript of *Social Contract*. There he presents us with a figure of an *independent man* who can see no sense in not pursuing solely his own interests because there is obviously no guarantee of other people doing likewise.

This man is for Rousseau a typical modern enlightened man and it is clear that Rousseau thinks that there is no simple argument to refute his reasoning and that he is much more convincing than those who shallowly think that "in the state of independence, reason leads us to co-operate for the common good out of a perception of our own interests" (*PIII*, 284; *M&M*, 160). We already know that in Rousseau's view a good response to him cannot be based on merely private interests. Rousseau indicates his answer to the independent man in an interesting passage:

"But ... although men become unhappy and wicked in becoming sociable, although the laws of justice and equality mean nothing to those

who live in the freedom of the state of nature and subject to the needs of the social state ... *let us attempt to draw from the ill itself the remedy that should cure it*. Let us use new associations to correct ... the defect of the general association. Let our violent interlocutor himself judge its success. Let us show him in perfected art the reparation of the ills that the beginnings of art caused to nature Let him see the value of good actions, the punishment of bad ones, and the sweet harmony of justice and happiness in a better constituted order of things ... *let us not doubt that with strong soul and an upright mind*, this enemy of the human race will at last abjure his hate along with his errors; that reason which led him astray will bring him back to humanity; that he will learn to prefer his interest properly understood to his apparent interest; that he will become good, virtuous, sympathetic, and finally ... the most solid support of a well-ordered society [all italics mine]." (PIII, 286; M&M, 162ff).

Thus the whole book Rousseau then planned should be the response. My impression is that Rousseau aims at identifying enlightened readers of his book with the independent man, in this way removing him from the position of a cynical spectator into exploration of his own heart.

There should be a remedy for the ill coming from the ill itself, a true miracle not second to Hegel's recognition. But what is the ill? It is, as far I can see, the *natural* and *egocentric independence* of "bourgeois" reflected from the observer's (philosopher's?) perspective which contains no image of unselfish goodness. However, aided by an image of a well-ordered political community his "strong soul" and "upright mind", *being independent* of prejudices of the age, church, feudalism, "bourgeois", monarchy and particularly of undue scepticism of *philosophes*³⁹, the independent man would perhaps find in his own heart something less cynical. Would he not find there the willingness to recognise and be recognised? Would not that willingness be a potential general will based not only on patriotic love but on an enlightened intellectual position?

Since the independent man is obviously a modern man it is not impossible that Rousseau earlier had more confidence in modern society than he had by finishing *Social Contract*. Cassirer's reform program which he, from the point of view of *Social Contract*, erroneously projected onto Rousseau's aspirations, would not have been, on such a condition, too far from truth. But although Rousseau used

much from the manuscript version in *Social Contract*, often word for word, he wiped the independent man completely out of *Social Contract*. Thus he left us to speculate whether he was really more optimistic sometime between 1756 and 1762 about modern society and what in this case might have made him come to second thoughts. Had he perhaps lost faith in *philosophes*, or indeed in one of them, Diderot, his “significant other” with whom he broke in 1759?

Notes

- 1 There are good reasons to claim that the right title is rather “Bourgeois Society” of the two possibilities German “*bürgerliche Gesellschaft*” allows. For instance the relationship between that society and the state is in a precise analogy with the relationship between the bourgeois and the citizen. I shall, however, follow here the commonly accepted use of “Civil Society”.
- 2 The accurate rendering of *Anerkanntsein* is “quality of being recognised”. As far as I can see, the difference from *Anerkennung* (recognition) only stresses the difference between a process and its result.
- 3 In fact, recognition is the nodal concept mediating the thematic perspective of the part of Hegel’s system under consideration, “objective spirit” (Knox: objective mind) with the whole system of his philosophy, cf. HW 10, 219ff (§ 430ff), Petry, 70ff.
- 4 Encyclopedia § 430ff.
- 5 HW 10 § 435, 437.
- 6 HW 10 § 436.
- 7 HW 10, § 435.
- 8 Up to Williams, 1997. Siep’s major contribution is *Anerkennung als Prinzip der praktischen Philosophie*. Freiburg and München, 1979.
- 9 Cf. Williams, 84ff.
- 10 Hegel’s criticism is of no substantial value as a commentary on Rousseau.
- 11 For A to be free in a “strictly” autonomous sense the following must be true: if there is a law which A obeys, A has made that law. But in addition to that, it is required that it is not true in such an empty way, that there is no law at all. It is required that there really are *particular* law(s) determining As personal commitments. Cf. PR § 6.
- 12 Hegel is in this respect more radical. For him the true sense of political activity is identical with the Aristotelian *praxis*. This is implied in the

- statement that the state is the actuality of the concrete freedom (PR § 260). This diametrically opposed to “instrument theory” of the state.
- 13 Cassirer, 104, 116; cf. *PIII*, 365 and *R&B*, 96.
- 14 His description of this condition is very close to Hegel’s description of the system of needs within the civil society partly considered above.
- 15 *PIII*, 174ff, *R&B*, 42; cf. *PIII*, 351 and *R&B*, 85.
- 16 *PIII*, 189, *R&B*, 54; cf. *PIII*, 193 and *R&B*, 56.
- 17 Fetscher, 58-9.
- 18 *PIII*, 203, *R&B*, 17; cf. *PIII* 188; 53ff.
- 19 cf. *PIII*, 189; *R&B*, 53ff.
- 20 *PIII*, 207; *R&B*, 18; cf. *PIII*, 352 and *R&B*, 85.
- 21 Natural man has four essential features: 1) self-preservation (*amour de soi-même*), 2) the capability for commiseration and, distinguishing him from animals, 3) capability for free will and 4) perfectibility. At the same time that creature is outside the dimensions of rationality, morality and truth (and thus *not* capable of *irrationality*, *immorality* and *lie*).
- 22 As far as I can see, there are three of them altogether, excluding the highly “conjectural” state of nature. They are: period of savages, that of nomads and that of agriculture. Thus there is interestingly not yet anything like the “commercial” state which was already outlined in Montesquieu’s *Spirit of Laws* and was becoming customary in contemporary (with the *Essay*) Scottish enlightenment.
- 23 Rousseau thinks that the struggle for power may begin already in the first communication between mother and baby. Its results are as fatal for the dominating child as they are for the submissive or suppressed. His ideas are amazingly reminiscent of Freud’s conception of distortions of the objectivity of the baby (omnipotence etc.) (*PIV*, 311, 314).
- 24 PR §, 238, addition, Knox, 277.
- 25 PR § 204, addition, Knox, 270.
- 26 PR § 185, remark, Knox 124; the passage is quoted fully in chapter IV.
- 27 Siep, 159ff.
- 28 Williams, 80ff, 87ff.
- 29 Indeed, the concept of love as a uniting power in general is an old perspective and an important paradigm for recognition in Hegel’s Jena writings (cf. Siep, 166).
- 30 *PIV*, 816; *PIII*, 365; *R&B*, 96.
- 31 We have to distinguish the domination he has in mind here from his thoroughly patriarchal conception of matrimony.
- 32 The italics are mine. “Constitution” has to be taken in its widest meaning involving the “unwritten” laws and institutions as well.
- 33 Concerning the capacity and conditions of the contract.

- 34 There is, however, no reason why it could not be a real act occasionally.
 Rousseau's sketch for the constitution of Corsica is an instance, albeit a
 fictive one, of that (*PIII*, 919).
- 35 We have to keep in mind that social contract, sovereign and law are in
 their strictest meaning concepts of legitimacy, hence *normative* concepts.
- 36 Fetscher, 259ff.
- 37 Cassirer, 71.
- 38 Fetscher, 260.
- 39 Cf. *R&B*, 110 (note 5), 178.

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