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ROUSSEAU AND THE MODERN STATE

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EDMUND BURKE
AND THE REVOLT AGAINST THE EIGHTEENTH CENTURY

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ROUSSEAU

AND

THE MODERN STATE

BY

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TO

MY WIFE

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PREFACE

THIS book is in one sense a sequel to a former work in which I undertook a study of the political and social philosophy of Burke, together with his particular followers in England, the Lake Poets. These thinkers seemed to me to represent a trend in political thought which could definitely be singled out as an independent movement, though one closely associated both in point of time and in its basic ideas with the early Romantic period in literature. In this study I only had occasion to mention Rousseau incidentally, and though it was of course evident that he was one of the greatest figures in the literary movement, so far as his political thought was concerned I took for granted the ordinary interpretation, or—to be more accurate—interpretations. There have been two main schools of thought in this respect. According to the one Rousseau should be regarded as a disciple of Locke and the *philosophes*, and the *Contrat social* as the last and greatest of the works of the 'artificial' or individualistic school of politics, against which Burke fulminated so effectively that he demolished apparently for ever its intellectual foundations. A later and now perhaps more influential school of thought attached Rousseau more closely to the German Idealism of the following century, and attempted to make him in part responsible even for the metaphysical madness of its wildest disciples. Between these two extreme and mutually exclusive interpretations students of Rousseau

have always been divided. One of the latest attempts to deal with the problem therein presented, and much the most thorough and successful, was that of C. E. Vaughan in his invaluable edition of Rousseau's *Political Writings*. But even Vaughan finds it impossible to reconcile the two aspects of Rousseau's political thinking. On the one hand he pays generous testimony to the Rousseau who proclaimed the rights of the individual. Far more often he sees the Rousseau who is "the determined foe of individualism," and whose political theory eventuates in a "communal despotism." Yet in an Epilogue written after 1914 he adduces all the arguments he can against this conclusion. On the whole, although he clearly and in our opinion rightly, regards Rousseau as one of the greatest opponents of Lockian individualism, Vaughan seems compelled to admit that the two strains in Rousseau's writings cannot be united. "A stern assertor of the state on the one hand," he concludes, "a fiery champion of the individual upon the other, he could never bring himself wholly to sacrifice the one ideal to the other."

Are we compelled to accept this verdict? Is there no possibility of examining Rousseau's thought on any other basis? We must note, first, that Vaughan takes the individual and the state as strictly comparable objects and presents us with the one and the other as alternative ends of social policy on a basis of strict equality. It seems to us that nothing is farther from Rousseau's mind, for he is primarily a moralist, and being such, as we will have occasion to show,

his end is always the individual and his liberty. It is true that where great numbers of men are concerned, who cannot escape as can an Émile into the free world of the intellect, it seems to him that the community has to play an essential part in aiding their liberation; but even here the state or the community is never more than a means to an end. It never becomes an end in itself: Rousseau's political theory starts with the individual and it ends with the individual. At the same time we must guard against going to the opposite extreme, by remembering that Rousseau does not conceive that the individual can as a matter of actual fact exist apart from the community, but believes that unless the community is so organized as to endow him with the possibility of moral freedom and libery he will know neither of these, and that therefore in practice the state necessarily has a certain priority to the individual. But this priority is justifiable only in so far as the state does actively develop the individual's moral personality and secure his liberty. Thus Rousseau can afford to attribute considerable power to his ideal state, because he does not allow it any ends other than the moral and material well-being and happiness of the individuals who compose it.

Envisaged in this light, it may be suggested, Rousseau's political ideas have no longer to be divided between two violently opposed and irreconcilable extremes. At the very least there is here a *prima facie* case for a new attempt to review his political thought as a whole. And if some such interpretation can be substantiated it will compel us to

decide that instead of standing at the opposite pole to Burke, Rousseau occupies a position in the history of political theory approximating in many respects to that of his great English antagonist. Such is only to be expected, after all, for one can hardly take Rousseau's literary and social ideas as intimately connected with the early Romantic movement, and leave his political ideas on one side as though they belonged to an alien current of thought.

The truth, as it seems to us, is that Rousseau's is in the modern world perhaps the first and still one of the most complete attempts to discuss the basic problem presented by all states, but in a peculiarly acute form by the modern state,—that of the relationship between the individual and the community. The problem in its simplest form is to safeguard the liberty of the individual, while at the same time giving the state the moral authority and actual power which it may need if it is to function effectively for the benefit of the individuals composing it. While it would not be true to say that Rousseau examined this problem in all its theoretical and practical implications, nevertheless one cannot help being surprised to find the many angles from which he approaches it. Because of its intrinsic importance, as well as on account of Rousseau's evident pre-occupation with it, I have found myself concentrating my attention on this problem. It has seemed to me, however, by no means an unprofitable standpoint from which to give what attempts to be a fairly complete survey of Rousseau's political theory, in which, however, I

have omitted such matters as the state of nature, and Rousseau's discipleship of Locke, which indeed have had adequate, not to say exhaustive treatment already.

After an introductory chapter, I have attempted a brief summary of some of the leading verdicts pronounced on his ideas by varying schools of thought, particularly in France, which, I hope, at least shows the extent to which his critics have differed in their interpretation of his basic tendency. Coming to an examination of his ideas in themselves, I have begun by showing that he develops, expands and re-emphasizes the Lockian principle of the rule of law, and that he is, as clearly as Locke or Burke, a champion of constitutionalism and legality. As the chief arguments of those who take Rousseau as the upholder of the despotism of the state over the individual are drawn from the *Contrat social* it seemed necessary to devote the most detailed attention to this work, first concentrating on certain particular aspects and subsequently dealing with the fundamental ideas which it expounds. In effect the latter amounts to a study of the theory of the General Will, both in the form in which Rousseau presents us with it, and in the possible implications it held in relation to future developments of the state. The most important changes to be introduced into the theory of the state after Rousseau's day were those resulting from the progress of the ideas of nationalism and socialism. A fairly comprehensive idea of the national state can be discovered in Rousseau, and it is here that he gets nearest

to subordinating the individual to the community. On the other hand his economic ideals represent a stalwart championship of the individual, all the more interesting because at the same time he feels it necessary to call in the state and endow it with extensive power for the purpose of securing the individual's economic independence. In my last chapter I have examined what seem to me the more fundamental principles which lie beneath Rousseau's political thought and which enable us to group him with Burke and Coleridge as a political theorist of the Romantic movement. Finally I have endeavoured to sum up briefly the modern problem concerning the relationship of individual and community, and the place we must attribute to Rousseau in the controversy.

The author who ventures to treat of Rousseau can hardly hope to avoid criticism, particularly if he has attempted to steer a moderate course, and has studied the ideas of Rousseau for their own sake, without regarding him either as the inspiration of all that is good in modern civilization, or as the source of all wickedness. For the English reader it is difficult to realize the violence of the political, religious and literary passions still roused by the mere mention of the name of Rousseau. I have done my best to safeguard myself as far as possible by ample quotations, and by giving the fullest possible references to Rousseau's writings in support of all the views and arguments which I have attributed to him. Wherever he is inconsistent or expresses in other places views different from those which I have taken as typical of

his normal outlook, I have been careful to draw the reader's attention to these divergencies.

No one is likely to read this book for whom the presence of quotations in French would be a serious inconvenience, and since Rousseau's language in his political works is precise and his terminology carefully calculated and in some respects peculiar to himself, to translate the passages which I have quoted would have been to incur the risk of an involuntary distortion of his meaning. Although I realize the criticism that may legitimately be made against the presence of so many quotations in a foreign language, this seems the lesser of two evils. Moreover, it must be confessed that one would not willingly sacrifice the fine, nervous style of Rousseau for the inferior language of translation. Though its inaccuracy is admitted I would have followed the custom of quoting from the Hachette edition had it not proved impracticable: it is out of print, however, and was in none of the English libraries to which I had access. Where there exist authoritative editions, as for most of the political works and for the *Nouvelle Héloïse*, I have followed these. A list of the editions quoted will be found at the conclusion of this Preface.

Full references being given in the notes, I have not included a bibliography. I wish to recognize here, however, my debt to certain writers, and first and foremost to Vaughan. Among others valuable to the student of Rousseau I would like to mention Beaulavon's edition of the *Contrat social*, Vallette's *Jean-Jacques Rousseau génevoise*, and T. H. Green's

Principles of Political Obligation, which contains what is still by far the best discussion of the General Will. An excellent brief discussion of Rousseau's thought is provided by E. H. Wright's *The Meaning of Rousseau*.

In conclusion, I wish to express my debt to the Rockefeller Foundation for the grant of a Fellowship which enabled me to work in France on certain historical problems and incidentally gave me the leisure for the completion of this book; to my friend, Mr. R. S. Elmes, for his generosity in permitting me to print extracts from the manuscripts of the comte d'Antraigues; and to the Research Committee of Armstrong College for a grant in aid of publication.

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ARMSTRONG COLLEGE,
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March, 1934

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CHAPTER I

INTRODUCTORY

I. THE STUDY OF THE POLITICAL THEORY OF ROUSSEAU

One is sometimes tempted to ask why books should be made about books, why, in particular, we should occupy ourselves with a writer such as Jean Jacques Rousseau, whose political writings are comparatively small in bulk and lucid in style; and if our object were simply to provide a *précis* of them, by analysing in turn the ideas in each, it would be difficult to find any satisfactory answer. Some political philosophers require to be re-written before they can be understood, though even then the proceeding must give rise to doubts, since between an idea as explained by a later critic and the same idea as adumbrated in the vague terms of the original writer, there may be a world of difference. That a thinker has not been understood in his own day is of course no proof of lack of clarity, it may indicate no more than the originality of his ideas; and this, one may suggest, is in part the explanation of the inability of his contemporaries to understand the political ideas of Rousseau. By itself it is not a justification for a restatement of them, now that many of what were considered startling paradoxes have become the common-places of politics.

A more important fact for students of Rousseau is that his theories were fated to become closely linked up with the most violent political dissensions: bearing this in mind, it is easy to understand why his commentators have not always been able to avoid distorting them. The studies of his political theory which do not start from a definitely revolutionary or anti-revolutionary standpoint are still comparatively few. In addition, as a result of this preoccupation with his influence on the Revolution, aspects of his political thinking that did not fit in with the dominant interest have been neglected. It is to be hoped, then, that an attempt to study his political ideas afresh will not be considered superfluous. Moreover such a reconsideration may aid us in attempting an estimate of their historical significance, and permanent value.

A modern study of Rousseau's ideas cannot follow exactly the arrangement that he himself adopted. The particular method of presenting his ideas that was dictated by temporary and local circumstances or events is not necessarily the best for the comprehension of the position they occupied in the evolution of European thought. The points which seem critical to one age, the subjects around which controversy wages, are not always those which in the light of subsequent development appear the most vital. Ideas that were taken for granted and therefore not emphasized are likely to be more important for the comprehension of their own times. Those which were most original are the most likely to have remained unremarked. New tendencies appear as single spies

more often than in big battalions. In one way or another, more often than not, an original thinker has himself to blame for the misconstruction of his ideas.

From one frequent cause of misinterpretation Rousseau is comparatively free: literary controversy was not natural to him and he therefore escaped the temptation it offered for the distortion of his ideas. The joy of wordy battle for its own sake, regardless of the ultimate value of the ideas over the dead bodies of which the fight was waged, passed him by almost completely. He was one of the most sincere writers who have ever lived, and if he said a thing it was because he believed it intensely. Intellectual agnosticism, suspension of judgment, the gentle scepticism of an Erasmus or an Anatole France, did not come into the scope of his mind; it was not a characteristic, anyhow, of those positive, dogmatic, denunciatory spirits of the eighteenth century. Yet even with Rousseau a certain literary love of paradox may be suspected in his earlier writings and has certainly not been without influence on the interpretation of his ideas. It accounts for the attention lavished on the idea of a historical state of nature, which, looked at in perspective, seems to us out of proportion even to the part it played in eighteenth-century thought. Considered as an element of historical significance in relation to the subsequent development of ideas, it in no way deserves the emphasis it has obtained, and if Rousseau is given his due place in the general current of European thought it sinks almost to insignificance.

But if we can find a fairly specious justification for undertaking a new study of Rousseau's political ideas, we must make it clear that our object is a strictly limited one. Our intention is not to relate him to individual thinkers who preceded or followed him; or to trace generally his origins and influences. The debt of Rousseau to such writers as Locke or Montesquieu has already been made amply clear and the theories of contract and natural rights have been traced back exhaustively through generations of modern, medieval and classical philosophers. The danger inherent in this line of approach is the tendency to stress unduly those aspects in which the influence of the past is shown, and by linking a theorist too closely with his predecessors to obscure his real originality. For Rousseau particularly, old and accepted ideas such as the social contract and natural rights provide a formal framework for his thought rather than anything more essential. Certain aspects of his work, we may readily allow, belong almost exclusively to the past; for example, his pseudo-historical enquiry into the origin of society retains little intrinsic value. If, on the other hand, we attempt to link Rousseau with his successors this inevitably means associating him with the Idealist philosophers, and therefore emphasizing his theory of the General Will. That this is the central point of his political theory cannot be questioned; but to envisage it in connection with the principles of the Idealists is to give a bias to its interpretation in the first place, and secondly to neglect other elements in his thought, or at least

to regard them as contradictory instead of possibly complementary.

The truth is that if we set Rousseau in an academic, or mainly theoretic tradition we necessarily fail to do justice to him. In the history of the schools of political theory one hardly knows where to place him. But as a prophet of ideas destined to have a great future one can hardly exaggerate his significance. In politics, in ethics, in literature, in social customs, one finds him, says Lanson, at the entrance to all avenues leading to the present. "J.-J. Rousseau," reflects Amiel, "est un ancêtre en tout: il a créé le voyage à pied avant Töpffer, la rêverie avant René, la botanique littéraire avant George Sand, le culte de la nature avant Bernardin de Saint-Pierre, la théorie démocratique avant la révolution de 1789, la discussion politique et la discussion théologique avant Mirabeau et Renan, la pédagogie avant Pestalozzi, la peinture des Alpes avant de Saussure: il a mis la musique à la mode et éveillé le goût des confessions au public; il a fait un nouveau style français, le style serré châtié, dense, passionné. En somme, on peut dire que rien de Rousseau ne s'est perdu et que personne n'a influé plus que lui, sur la Révolution française, . . . et sur le XIX^me^ siècle."[1] It is true that on many points one can find anticipators of Rousseau, that on others his generation was clearly coming of itself to attitudes that were perhaps most plainly manifested in his writings, but hardly anywhere do we find assembled in the ideas of one man so many new tendencies, so much of the intellectual furniture

[1] Amiel, *Fragments d'un journal intime*, 5th ed., 1887, vol. I, p. 219.

of a later age. In a general sense, without committing ourselves to any particular interpretation of his influence, it is clear that this was enormous, that, as Bergson[1] says, his was the most powerful of the influences which the human mind has experienced since Descartes. It is true that the deepest influences are often only to be remarked at long range. In the development of literature, in many phases of social life, and in educational theory, Rousseau's influence over his contemporaries is well marked. In other fields, particularly in politics, his immediate influence is more a matter for debate and has probably been unduly magnified. At any rate, it is with his political ideas in themselves and in relation to the world of ideas in which we live, and not with any more immediate historical effects, that we are concerned.

This is not a suitable place in which to discuss fully the vexed question of the influence of political theory over political practice. Briefly we may lay down as a general rule that our object in studying the theorists of the past is not to discover their political influence, which—so far as immediate political results go—is, it seems to us, more often than not negligible. Their influence on the development of the great general ideas which have so much to do with shaping the course of history is less open to question, partly for the very reason that it is practically incapable of definition. Can we say that without Rousseau there would have been no ideas such as democracy or nationalism, or even that the form these took would have been

[1] H. Bergson, *La Philosophie* in *La Science Française*, 1915, p. 21.

different in any way had he not lived? If we confine ourselves to discussing the influence of a thinker over later theorists we are on safer ground, it must be admitted; but this theoretical or academic development is one which goes on apparently regardless of and almost unconnected with the course of practical politics. What we are questioning is the influence over immediate political events in the first place, and secondly, over the dominating political ideas of history. The long-distance effect that made, for instance, Aristotle a power in the Middle Ages represents, of course, rather a different problem.

Is political theory, then, entirely without practical bearing? We may answer that its effect naturally depends on the extent to which its ideas are diffused, especially among the directing elements of society. While the systematic study of political life remains esoteric, a mystery of the academies or of a narrow literary circle, its influence is necessarily negligible. It might be claimed for Rousseau that he more than any other single individual was responsible for the growth—for good or for evil—of a general interest in political ideas, and thus of introducing a new factor into history, of which we are far as yet from seeing all the consequences.

Our chief motive in studying the political ideas of Rousseau is, anyhow, none of these. It is because they throw a valuable light on the origins of many of the fundamental political ideas of the nineteenth century and of the present day, and are of the greatest aid in the comprehension of those ideas, quite apart from

any influence he may or may not have exercised. The ideas in which the historian is most interested are not recondite academic doctrines, to be traced with great labour from one obscure theorist to another, they are the truths of the market-place, the battle cries of the peoples. Yet these general conceptions, that play such a great part in history, are those most in need of the conscious analysis and illustration that only the genius who understands and shares them can provide. Rousseau is worth studying, if only because in him can be clearly seen for the first time so many of our own accepted ideas, and because the essential nature of an idea is often most manifest in its beginnings.

One of the reasons why we may claim that he helps us to understand the fundamental political ideas of our world, is that in these we have at bottom progressed very little beyond him and his contemporaries. The new-old and still theoretically rather inchoate doctrines of the rights of force, pragmatism, fascism, left on one side, our political thinking is still set in the same terms. Not that Rousseau comprehends the whole of the political thought even of his own day; but if to him we add the greatest of his contemporaries in this field, Burke and Bentham, it will be a little difficult to say in what respects we have advanced in political ideas, save in a greater awareness of the complexity and the difficulty of organizing political institutions.

Even if the study of governmental machinery has developed greatly, by itself it can tell us little of the real means by which men are governed. It tells us

how to organize our government, but not how to create, or even how to maintain it. It is a subject of constant complaint that too great attention is paid to institutions as such, and too little to the political habits and traditions which are necessary to work and uphold them. It is plain that the inventors of political machinery have not always made allowances for the weaknesses of human psychology. Now one might lay it down as axiomatic that only in so far as the student of politics is in touch with and bases himself on human nature is his work likely to be profitable; though at the same time we are quite aware that human nature is not a fixed, rigid structure, but rather an elastic network of tendencies, capable of manifestations which differ widely even while the fundamental instinctive basis remains the same. Of the importance of this element in politics Burke is the greatest exponent.

The practical value of Bentham's doctrines derives from the fact that he had seized upon one very important element in the make-up of man as a political animal, the self-interest motive and, applying it systematically, was able to draw from it practical conclusions of incalculable value. Rousseau, on the other hand, has often been regarded as the arch-priest of abstract political theory, based on logic and ignoring human nature and practical utility, though if he were truly this one would be at a loss to explain the importance which he undoubtedly retains for the modern student of political thought. The fact is that Rousseau and Burke and Bentham, the former two at any rate

making, as we shall see, at bottom a similar analysis of the nature of political society emphasize different aspects of political life; but for this very reason they are the more worth studying, because they supplement rather than contradict one another. For the modern student of politics they have all three to be reckoned with in a way that no subsequent thinker on politics has, and certainly not least Rousseau, who among friends and enemies alike is taken by general agreement as the true prophet, if not the very source and fountain-head of the modern democratic state.

2. THE CONSISTENCY OF ROUSSEAU

One consideration of a different nature remains to be discussed before we can leave these preliminaries. It is sometimes said that Rousseau's political writings present a mass of contradictions to which chronology affords the only key. This is a serious charge, because if Rousseau is as self-contradictory as is alleged one cannot help wondering if he is worth studying. For how are we to know which of any particular pair of opposed ideas to choose as expressive of his real thought? Is it possible to find historical significance in a writer of such colossal inconsistency?

Now in at least one respect his inconsistencies are patent and undeniable. It takes little insight to discover the contradiction between his writings and his life, and it is with this fact that his critics are apt to make most play. One may feel that he is not to be blamed too severely because, as he claimed himself,

"Pour moi, jamais on ne me verra, prévaricateur de la vérité, plier, dans mes égaremens, mes maximes à ma conduite,"[1] but we do not have to rely on this argument. To provide material for criticism, the actions of the earlier part of Rousseau's life, particularly of his years of vagabondage and the first period of his life in Paris, are usually held up in opposition to the writings of his later years, a method of criticism rather effective than scrupulous, for without a recognition of the fact that he experienced something like conversion it is impossible to understand his life and character. It would be strange if such a moral revolution did not leave its mark on his career: one might almost expect to find a contradiction between his life before and after this event. Apart from this fact, however, it is certainly possible to find inconsistencies in Rousseau's thought. In this respect he is his own most severe critic, for he confesses that though he can apprehend individual truths clearly he cannot compare them or arrange them with method, that reverie is more natural to him than reflection, and so forth,—all of which sounds a very strange self-criticism from the author of the *Contrat social.*

It has been by taking isolated statements and contrasting them with one another that his critics have most easily established the inconsistency of Rousseau. Against this all too easy method of pulling an author to pieces he himself protested, above all against the habit of judging a book from scattered fragments,

[1] *Corr. Gén.*, vol. XIX, pp. 213–14: to Mme de Berthier, January 17, 1770.

picked out by a dishonest critic, who himself is the author of the evil he is criticizing, by isolating a statement from all that modifies and develops it, and twisting it from its true meaning.[1] Again, the Second Discourse, interpreted as an expression of the extremest individualism, is used to contradict all his subsequent works. Even among the latter however it is a simple matter to contrast, for instance, the abstract *Contrat social* with the detailed and practical *Poland*, its ruthless authoritarian principles with the liberal ideas of the *Lettres de la Montagne*, or its apparent submission of the individual to society with the essential individualism of the *Émile*. But when we reflect that the *Discours sur l'inégalité* and the *Économie politique* came within eighteen months of one another, and that the *Émile* and the *Contrat social* are almost contemporary, we are compelled to examine the alleged inconsistency a little more closely instead of taking it for granted.

The manner in which Vaughan disposes of the difficulty is convincing at first sight. The individualism of Rousseau, he says, is to be found only in the Second Discourse and the first few chapters of the *Contrat social*. Strike these out and it will be seen to be a myth. His explanation is that Rousseau, beginning as a follower of Locke and therefore an extreme individualist, in the critical years, and especially when he was writing the *Contrat social*, was a whole-hearted disciple of Plato; only to fall subsequently, when he produced his constitution for Poland, under the

[1] *Œuvres*, vol. VI, p. 152: *Lett. Mont.* I.

influence of Montesquieu.[1] There are definite reasons why it is difficult to accept this theory. The individualism of Rousseau is hardly as limited as Vaughan suggests. The influence of Plato must be admitted, though he is rarely mentioned by Rousseau; but to confine it to one particular stage in the growth of his mind, and to attribute to it such a decisive influence, is little more than surmise. On the other hand the influence of Montesquieu, far from being confined to the *Poland*, is written large over all his political works.

The most reasonable way of treating the political thought of Rousseau, then, is not to assume that it presents a mass of irreconcilable inconsistencies, nor to attempt to escape from this assumed difficulty by imposing on him an arbitrary scheme of development, for which there is little evidence, but rather to study his works as a whole, to disengage what fundamental unity one can, and to leave isolated such features as clearly will not fit into the general scheme. His importance in the history of thought lies not in any attempt at an impossible completeness and finality, and the unity of his works above all derives from his own vital personality and his intensely personal way of viewing political questions.

[1] Vaughan, *Political Writings of Rousseau*, vol. I, pp. 77–81.

CHAPTER II

THE INTERPRETATION OF ROUSSEAU

I. ROUSSEAU AND THE REVOLUTIONARIES

There can be few writers of whom there have been such widely differing interpretations as Rousseau; and even if this fact deprives us of the pleasure of agreeing with all his commentators, their very divergencies are not uninstructive. It must be premised that we are discussing here not the influence of Rousseau's political ideas, but only the various ways in which different schools of thought have regarded them. If we have to speak incidentally of his influence, we must guard ourselves from supposing that the actual line of development of the ideas of a writer such as Rousseau after his death was the necessary and inevitable one, still less that it was the one which he himself would have followed and approved.

The interpretation of Rousseau throughout the greater part of the nineteenth century suffered, as indeed it does at the present day, from the fact that he was viewed always through the mists of the Revolutionary Age. His name was inevitably identified with the Revolution, and therefore with the popular disorders in which it began, and the excess of governmental authority in which it ended. For both these developments in turn he has been made chiefly responsible. This identification of Rousseau with the Revo-

lution has naturally prevailed most strongly in France, where indeed his name has become, as for many it still remains, a political war-cry. But though he has always been in the centre of the battle, it is not in his name that either party fights. The one point on which most political opinions concur is hostility to Jean-Jacques. For enemies of the Revolution he is identified with all its works; those in the revolutionary tradition have inherited the prejudices of the *philosophes* against him; while for liberals he is the chief author of that worship of the state which has been the greatest menace to liberalism during the last century. So that in sum we are forced to agree with Beaulavon that it is difficult to find anyone in France who in politics can be reckoned an heir to Rousseau.[1]

His influence on the Revolution, if we examine it as a serious historical problem, presents a subject much too broad and too complicated to be treated here. It seems evident that the *Contrat social* was little read before 1789,[2] but the allegation is often made that, if ignored in the early years of the Revolution, it came into power with the Jacobins.[3] Mallet du Pan

[1] G. Beaulavon, *Contrat social*, ed. 1903 (2nd ed., 1914), p. 94.

[2] D. Mornet, *Les enseignements des bibliothèques privées* (1750–80), in *Revue d'histoire littéraire de la France*, 1910.

[3] A. Meynier, *Jean-Jacques Rousseau révolutionnaire*, 1912, p. 125; L. Duguit, *Rousseau, Kant et Hegel*, 1918, p. 6. On the other side is Beaulavon, *op. cit.*, pp. 80, 81, 94, who quotes Chateaubriand to the effect that no book condemns the Terrorists more than the *Contrat social*. Even Vaughan, however, allows that "the later and more terrible phases" of the Revolution saw the triumph of the fundamental ideas of the *Contrat social*. (*Political Writings*, intro., vol. I, pp. 21–2.)

A recent article on *The Influence of Rousseau on Political Opinion*, 1760–95 (D. Williams, *Eng. Hist. Rev.*, July 1933, vol. XLVIII, pp. 414–30),

relates how Marat was reading and commenting on it to enthusiastic audiences in 1788,[1] and the system of Robespierre has been taken as the *Contrat social* put into practical politics. As this charge is usually based neither on an attempt to comprehend the political philosophy of Rousseau, nor on an analysis of the political practice of Robespierre, we may at least suspend judgement, only observing that his influence was not needed, as has been alleged, to develop an idea of governmental despotism, which could be learnt in full from the *ancien régime*. The Revolution was the heir of that

supplies an interesting and valuable discussion of this question. So far as the Revolutionary period is concerned, however, I still feel it very unsafe to attempt any generalization on Rousseau's influence without a detailed study of the mass of material in books, political pamphlets and speeches. The author of this article believes that the political inspiration of that phase of the Revolution which is associated with the name of Robespierre was definitely provided by Rousseau, and claims that, "the Jacobin system of government was the practical application of the sovereignty of the general will" (p. 429). For my part, although doubtless Robespierre believed this himself, I cannot but hold him to have been mistaken in thinking that he was putting Rousseau's political principles into practice. (See below Ch. IV, Sec. 5.) I am not, of course, challenging the *theoretic* debt of Robespierre to Jean-Jacques, but general political principles seem to me to have very little relation to the system of government set up in the Terror. Secondly, it is true that Robespierre derived the inspiration of his religious policy from Rousseau; but in his practical ideas on the relation of religion and the state, as distinct from his personal belief in the importance of religious conviction to the individual, Rousseau is little removed from the normal viewpoint of Voltaire and the *philosophes*. (For this *v.* Ch. IV, Sec. 2.) Thirdly, it is suggested that "the theories of Rousseau were the basis of the social policy of Robespierre" (p. 429). With this we can definitely agree, although not with the interpretation of Rousseau as "the very antithesis of the *petit bourgeois*" (p. 415). On the contrary, I have taken the view that Rousseau's social theories are essentially a prophecy of that type of *petit bourgeois* economy which from the Jacobins onwards has remained the social ideal characteristic of French republicanism.

[1] Mallet du Pan, *Mémoires*, 1851, vol. I, p. 126 n.

benevolent despotism which under Louis XIV and his successors attempted finally to abolish the last relic of medieval constitutionalism in France; and it is our belief that the political manners to which men are accustomed, together with the exigencies of immediate circumstances, exercise a greater influence over political developments than the theories of philosophers.

The influence of the *Discours sur l'inégalité* over the Revolution as a whole is less open to doubt, but difficult to define precisely. As early as 1802 we find a constitutional *curé* denouncing Rousseau to Bonaparte as the source of all the ills of France. "Tous les anarchistes sont ses partisans, tous les ennemis de l'ordre invoquent ses principes."[1] We are not compelled to agree with this verdict however. On the contrary, we may say that even a slight acquaintance with revolutionary literature is enough to show that the political influence of Rousseau is by no means so clear and simple as is usually supposed. Quite apart from the plain fact that reference to the authority of Rousseau, whose literary arts had moved a whole generation to tears, rapidly became a commonplace of revolutionary oratory, and that the vast majority of such references are the merest generalities, more often than not devoid of meaning, one would have to neglect the influence he exercised over the younger *noblesse*, on the Catholic Revival and on thinkers such as Chateaubriand and Bonald, Wordsworth and Coleridge and the German idealists, if one wished to accept fully the traditional theory of his influence. Had the

[1] P.-M. Masson, *La Religion de Rousseau*, 1916, vol. III, p. 257.

counter-Revolution triumphed in 1790, would it not have been partly in the name of Rousseau, with *mandats impératifs*, opposition to the representative system, with federalism, and the principle of an independent executive?[1] The authority Rousseau attributes to the king in his *Poland* would have been recalled, and the conservative influence his writings are allowed to have exercised in the early years of the nineteenth century, with the Catholic Revival and German idealism, would have been ante-dated by twenty or more years.

In a more general way one might perhaps be tempted to attribute to Rousseau the blame for the dangerous habit of discussing political questions in terms of the broadest generalizations, and imagining that the whole matter was settled when a sufficiently comprehensive definition had been found. But this verbalism and faith in formulae, from which not even Montesquieu is free, and which is translated into practice in the form of an undue belief in the efficacy of laws and declarations of rights, is characteristic of the whole century: indeed, in his writings on Geneva, Corsica and Poland, Rousseau himself escapes as far from it as any contemporary French writer. But our object here is not to do more than indicate the difficulty of any summary attempt to define the influence of Rousseau during the Revolutionary period. We can describe his influence best in the words Faguet uses to describe the general effect of the philosophical writings of the whole century. "Elles ont traversé toute la Révolution Française comme des projections

[1] *cf.* Appendix I.

de phares, et c'est à leurs lumières intermittentes qu'on a combattu dans les ténèbres. Leurs livres ont été les textes dont se sont appuyés les partis pour soutenir les revendications diverses et contraires qui leur étaient inspirées par leurs passions ou leurs intérêrs."[1]

2. THE CRITICS OF ROUSSEAU

While the revolutionaries were lauding Rousseau to the skies, it was natural that their enemies should equally vehemently denounce the author who was supposed to be the source of so much mischief. The chorus of denunciation begins with Burke, who, after a comparatively moderate criticism in the *Reflections*, launches an attack in the most unmeasured language in the *Letter to a Member of the National Assembly*. His criticism is worth pausing over, because even where he is most violent Burke is never without reason, and because he sets the note, and indeed sums up most of what was to be said on the same subject subsequently. To begin with, however, one cannot help noticing that his knowledge of Rousseau's political writings seems to be very limited. His procedure is to take Rousseau as the embodiment of the political philosophy of the Revolution. What this was in his opinion he sums up succinctly and clearly. The Revolution begins as a revolt of the individual against the bonds with which for his own good he is shackled by the institutions of society: it is an outburst of egoism on a nation-wide scale. This is only the first step, it

[1] E. Faguet, *La politique comparée de Montesquieu, Rousseau et Voltaire*, 1902, p. 280.

does not represent the real end of the leaders of the Revolution. The selfish passions thus evoked are destined to be used by the small conspiracy of ambitious men who have called them forth for the destruction of the existing forces of social control. But their ultimate object is not anarchy, or the abolition of all authority, but merely the turning out of office of the existing and traditional authorities, whom they aim at replacing themselves. When the new illegitimate rule has been established, however, it is bound by none of the customary restrictions that made the former despotism tolerable; the new rulers having freed themselves from the prejudices of moral law, instead of freedom, following rapidly on the heels of the initial anarchy comes the most ruthless and complete dictatorship. This, according to Burke, is exactly the process prepared and prophesied in the works of Rousseau: he first lets loose the unregulated passions of the individual, and then sacrifices him to the tyranny of the state: such is the result of the abandonment of moral law and the divorce of politics from ethics. With what justice this description can be applied to Rousseau we shall see later. Its applicability to the Revolution is more patent,—but fair or not it embodies the verdict of the nineteenth century on Rousseau, and the schools of thought which we will have rapidly to survey for the most part merely repeat in different language Burke's thesis.

This is eminently true of the most influential of the early enemies of the revolutionary philosophy in France, the theocrats, though here we have to reckon

with another factor, the influence of Rousseau himself; for writers such as Bonald and de Maistre belonged to the generation that had experienced most fully his fascination. Both Bonald and de Maistre begin with Rousseau. Not only do they acknowledge the justice of many of his views in themselves, but the practical problem as they envisage it is posited in similar terms. Their criticism follows the line of attack taken up by Burke but is concentrated against the individualism of the Revolution, with which they assume Rousseau to be identified. The abstract individual, the man of the state of nature, they reject entirely; the social status alone is for them natural to man.[1] "L'auteur du *Contrat social* . . .," writes Bonald, "ne vit que l'individu, et dans Europe ne vit que Genève; il confondit dans l'homme la domination avec la liberté, dans la société la turbulence avec la force, . . . et il voulut réduire en théorie le gouvernement populaire, c'est-à-dire fixer l'inconstance et *ordonner* lé désordre."[2] Their fundamental argument is that on the basis of will, whether individual or general, no theory of sovereignty can be erected: the will of the people is just what can never be sovereign.[3] Agreeing with Rousseau that only the law can be sovereign, they disagreed with him in holding that the law can never be the result of human will, but only of divine ordinance. Starting from such a principle it was inevitable that the *Contrat social* should be for them, in the words of Lamennais before

[1] De Maistre, *Œuvres*, 1884–86, vol. II, pp. 540–1, 548–9: *Examen d'un écrit de J.-J. Rousseau.*

[2] Bonald, *Œuvres complètes*, 1859, vol. I, p. 1091.

[3] De Maistre, *Œuvres*, vol. I, p. 465: *Étude sur la souveraineté.*

his recantation, "a sacrilegious declaration of war against society and against God,"[1] and this, in spite of certain merits that Bonald grants to Rousseau, sums up their attitude.

Whereas the theocrats, themselves maintaining in the name of Catholicism an extreme theory of authority, saw in Rousseau the protestant and the individualist, for constitutional or liberal political writers he was the teacher of the Jacobins and the upholder of the tyranny of the state. Of the criticism from this angle Benjamin Constant provides the best, as well as the best known, illustration. Practically every subsequent critic of Rousseau has quoted his indictment of the *Contrat social* as, "le plus terrible auxiliaire de tous les genres de despotisme." None take the trouble to cite the more detailed judgement in which he says, "qu'en transportant dans nos temps modernes une étendue de pouvoir social, de souveraineté collective qui appartenait à d'autres siècles, ce génie sublime qu'animait l'amour le plus pur de la liberté a fourni néanmoins de funestes prétextes à plus d'un genre de tyrannie," and adds, "J'eviterai certès de me joindre aux détracteurs d'un grand homme."[2] Elsewhere he turns his pen against these same detractors,—"une tourbe d'esprits subalternes qui placent leur succès d'un jour à révoquer en doute toutes les verités courageuses, s'agite pour flétrir sa gloire: raison de plus pour être circonspect à le blamer. Il a, le premier,

[1] Lamennais, *Essai sur l'indifférence*, 1817, vol. I, p. 280.

[2] B. Constant, *Cours de politique constitutionelle* (1818–20), 1861, vol. II, p. 549.

rendu populaire le sentiment de nos droits. À sa voix, se sont réveillés les cœurs généreux, les âmes indépendantes; mais ce qu'il sentait avec force, il n'a pas su le définir avec précision."[1]

But Constant was still too near the Revolution and too much influenced by the tradition of the early revolutionaries to be able to forget entirely that there had been a time when the author of the *Contrat social* had been the idol of liberal and constitutional France. In the next generation the criticism from this flank was more extreme. We may take as an example Lamartine, a more successful poet than politician, it is true, who nevertheless devoted a work to the refutation of Rousseau, whom he joins with Plato and Fénélon in a general condemnation. His point of view can be appreciated from what he has to say of Plato: "il ne manque au code du divin Platon que l'anthropophagie pour être le cloaque contre nature et contre humanité des immondices de la turpitude, de la démence et de la brutalité humaine."[2] His verdict on Rousseau is longer but not substantially different.

The difficulty for most liberals in France, which prevented them from seeing that individualism in Rousseau which the theocrats had seen almost exclusively, was that they were brought up in the tradition of the *philosophes* and were therefore inevitably inheritors of the old enmity to the author of the *Vicaire Savoyard*. This applies without exception to

[1] B. Constant, *op. cit.*, vol. I, p. 276 n.

[2] Lamartine, *J.-J. Rousseau. Son faux contrat social*, 1926, p. 19.

the *idéologues*, and to the positivists who continued the tradition; particular illustrations are therefore hardly necessary.

The early socialists were more divided in opinion, and for them, of course, the individualism of Rousseau was his crime. According to some modern critics Rousseau's *Discours sur l'inégalité* should be regarded as one of the principal sources of the socialist movement of the next century, still more of anarchism. If this be so his followers were singularly ungrateful to their alleged master. With one or two exceptions such as Louis Blanc, the Saint-Simoniens and the early socialists were consistently hostile to Rousseau. Proudhon, in this if in no other respect typical, puts the grounds for enmity explicitly. "C'est Rousseau qui nous apprend que le peuple, être collectif, n'a pas d'existence unitaire; que c'est une personne abstraite, une individualité morale, incapable par elle-même de penser, agir, se mouvoir."[1] For him as for most of the socialists, the social contract was nothing but "l'alliance offensive et défensive de ceux qui possèdent contre ceux que ne possèdent pas," "le code de la tyrannie capitaliste et mercantile."[2]

In the earlier part of the century the sociologists and philosophers were the chief enemies of Rousseau, while his adherents, in another order of ideas it is true, were to be found in the literary world, with writers such as George Sand. "Quant à moi," she wrote,

[1] Proudhon, *Œuvres complètes*, 1923– , vol. II, p. 193: *Idée générale de la Révolution au XIX^e siècle* (1851).

[2] *id.*, vol. II, pp. 191, 194.

when the current of ideas had changed, "je lui reste fidèle. . . . Il m'a transmis comme à tous les artistes de mon temps, l'amour de la nature, l'enthousiasme du vrai, le mépris de la vie factice et le dégoût des vanités du monde."[1] But French literature has always been characterized by an attachment to the opposition in politics, and when the republic had triumphed a sentimental conservatism and a tone of condemnation towards the Revolution and all its works came into fashion. The link between the earlier sociological criticism and the later literary attack on Rousseau is provided by Taine, a writer whose hostility to Rousseau, as to the Revolution, is all the more marked because it combines both motives of opposition. As he is free from the prejudices of the *philosophes*, however, there is at the same time in Taine, though hardly in his successors, a more generous appreciation of what he regards as the better qualities of Rousseau,—"homme étrange, original et supérieur, . . . ayant commis des extravagances, des vilenies et des crimes, et néanmoins gardant jusqu'au bout la sensibilité délicate et profonde, l'humanité, l'attendrissement, le don des larmes, la faculté d'aimer, la passion de la justice, le sentiment religieux, l'enthousiasme, comme autant de racines vivaces où fermente toujours la sève généreuse pendant que la tige et les rameaux avortent, se déforment, ou se flétrissent sous l'inclémence de l'air."[2] Even so qualified, praise from such an enemy

[1] *À propos des Charmettes*, in *Revue des Deux Mondes*, November 1863, vol. 48, pp. 341–65.

[2] H. Taine, *L'ancien régime*, 1876, pp. 289–90.

as Taine is worth recording. But in drawing the picture of Rousseau's politics Taine leaves no half shades. "À la souveraineté du roi, le *Contrat social* substitue la souveraineté du peuple. Mais la seconde est encore plus absolue que la première, et, dans le couvent démocratique que Rousseau construit sur le modèle de Sparte et de Rome, l'individu n'est rien, l'État est tout."[1]

From Taine practically all the modern literary criticism of Rousseau is derived, and it cannot be said to add much to his arguments. With Brunetière it becomes more acute, and with some modern critics inconceivably shrill and bitter. To a certain extent this is because the religious motive is reintroduced to reinforce the political; but the hostility to Rousseau to-day derives perhaps its most violent feelings from literary sources. In the periodic attempts to overthrow the prestige of the great writers of the romantic period in the interests of pseudo-classical principles, Rousseau is always the chief enemy, and rightly enough, for his literary conquests are among the greatest, the most vulnerable and the most triumphantly inexpugnable of all the achievements of French romanticism. He represents, wrote Texte, who was not concerned to make out a case against him, the breach with all the traditions of French classical literature,[2] and it was above all French literature of the seventeenth and eighteenth centuries in which the so-called classical virtues were supposed to be exemplified. Rousseau

[1] H. Taine, *op. cit.*, p. 321.

[2] J. Texte, *Rousseau et les origines du cosmopolitisme littéraire*, 1885, p. 404.

is not only alien to the classical literary tradition, he is hardly even French. That there was a chasm between the French eighteenth-century mind and his own he admitted. "Je ne connais pas deux Français qui pussent parvenir à me connaître, quand même ils le désireraient de tout leur cœur," he wrote.[1] And this intellectual cleavage is perhaps in itself partly responsible for the constant and envenomed hostility to a genius felt to be different, and therefore dangerous.

It must not be supposed that criticism of Rousseau's politics during the nineteenth century was entirely hostile, though certainly the balance leaned altogether on that side. The idolization of Rousseau during the Revolution and his subsequent identification with its worst aberrations are sufficient alone to account for this. Not until the revolutionary period had sunk sufficiently far back into history to be regarded with some attempt at detachment was there any possibility of an impartial consideration of the ideas of the author of the *Contrat social*, and in French thought, for which the Revolution is still almost a matter of contemporary politics, one can hardly say that this phase has arrived even yet.

The last century was the age in which in some periods and countries individualism reached its highest development, while in others the power of a state was raised to the highest pitch. It is worth while remarking that whatever be the influence of Rousseau, he is denounced with equal zest by the adherents of both

[1] *Œuvres* (ed. of 1826, Baudouin Frères), vol. XVIII, p. 317 n. *Rousseau juge de Jean-Jacques, Second Dialogue.*

schools. We have mentioned the individualist criticism, what of those who went to the other extreme in giving the state priority over the individual, the German Idealists? Rousseau's name is often associated with theirs and he is not infrequently credited with being the real originator of their political system. Thus Duguit, summing up as wide an accusation as possible in one sentence, declares, "J.-J. Rousseau est le père du despotism jacobin, de la dictature césarienne, et à y regarder de près l'inspirateur des doctrines absolutistes de Kant et de Hegel."[1]

Now the association of the strict Hegelian theory if not with absolute government at least with the magnification of the power of the state can hardly be doubted, and if we are to attribute this to the influence of Rousseau it cannot but affect our interpretation of his ideas. Without embarking on the question of his influence, we can appropriately ask here what the Idealists themselves said of him and if they proclaimed their allegiance to his ideas. To begin with, the filiation between the thought of Rousseau and that of Kant is self-evident; and the philosopher of the Pure Reason speaks in the highest terms of the writer from whom he had learnt to recognize the limits of the intellect as the Enlightenment had conceived it, and the importance of immediate sensation. It was Rousseau, he said, who had taught him to honour men. Rousseau, too, certainly contributed to the development of the principle of the autonomy of the will, by means of which he

[1] Duguit, *op. cit.*, p. 6.

reconciled law with liberty. Kant's praise of Rousseau, however, belongs to the revolutionary current of thought, as does the early admiration of Fichte and Hegel. In 1793 Fichte was writing of Rousseau as one who had aroused the human mind to a consciousness of all its powers. But in Fichte we can see at work the process which led from the liberalism of the early revolutionary period, through the nationalism of the struggle against Napoleon, to the political philosophy of Hegel and the idealist state. Although he also began with admiration for Rousseau, as his theory of the state evolved Hegel developed into a severe critic, for there is too much of the individualist, the disciple of Locke, the upholder of individual rights in Rousseau to satisfy him.

The controversy between those who support the opposed interpretations of Rousseau still persists. In the work of M. Sée on French political thought in the eighteenth century the older view of Rousseau as the upholder of individual liberty is maintained. It is admitted that his attribution of absolute sovereignty to the people raises the question of individual liberty, but the conclusion is that, "Sa conception de l'État est . . . une conception tout individualiste."[1] But M. Sée only touches on the matter briefly and hardly allows sufficient weight to the arguments on the other side, to which Vaughan, on the contrary, allows full play. The verdict on Rousseau which seems to hold the field is that, in the words of another author,

[1] H. Sée, *L'Évolution de la Pensée Politique en France au XVIII^e siècle*, 1925, III. 8.

"Beginning as an anarchist in revolt against all social coercion, he came in time, as Plato had done, to a conclusion which made the state everything and the individual nothing."[1]

It is not our purpose in this chapter to examine the value of the multifarious and mutually contradictory verdicts that have been given on the political thought of Rousseau, but merely to indicate their variety, and the constancy with which they fall into one or other of the two chief categories,—Rousseau the individualist, Rousseau the prophet of state absolutism,—neither of which, we may say at once, seems to us a satisfactory interpretation of his whole thought. It may be that no synthesis of his ideas is possible, that they have to be put into one or other of two contradictory groups, but we are reluctant to accept this solution. Is it not possible that the confusion has arisen partly from a reading back into Rousseau of his supposed historical influence, partly from an attempt to force his thought into theoretical categories that he never had in mind when he wrote? But whatever be the explanation, we may at least hope that enough has been said to indicate a radical disagreement and to suggest that on this count also a fresh attempt at a comprehensive judgement on Rousseau's political thought may be of some use.

[1] K. Martin, *French Liberal Thought in the Eighteenth Century*, 1929, p. 196.

CHAPTER III

THE RULE OF LAW

I. THE *PHILOSOPHES* AND THE DESPOTS

The weight of opinion, even to-day, is plainly on the side of those who regard Rousseau as one of the prime founders of the despotic state, and it must be admitted that in certain circumstances he is willing to attribute great power to the state. It is not always realized, however, that a general statement such as this tells us practically nothing, unless we know what are the conditions he lays down for the exercise of the authority of the state, and above all of what kind of state he is talking at any particular time. In some schools of political theory the latter is a question to which we never find the answer, because what is said of one state is assumed to be automatically true of all states, as though the state were a natural species of which certain qualities can necessarily be predicated, instead of being an artificial construction of almost endless variety in its forms. Rousseau, however, distinguishes between the various states of his own day and of the past, discusses sometimes the possibly improved state into which they might be developed by a wise legislator, and sometimes his ideal state, which he has practically no hope of seeing realized in the world of hard facts. For the purposes of our discussion we have also to bear in mind yet another type of state, that, namely, which has developed since his

day, and which differs in many essential respects from the state of the eighteenth century. All these have to be distinguished clearly. We propose to consider first Rousseau's judgement on the state as it was in his own time, reserving for subsequent consideration his theory of the ideal state, his tendencies as a practical reformer, and the possible application of his ideas to the type of state that has since evolved.

Taking, then, in the first place the eighteenth-century state, it must be said that so far as this is concerned he is clearly not an adherent of the theory of absolute state authority. When we read his comments on the despotisms that he saw around him we cannot but ask whether the reaction against Revolutionary enthusiasm has not gone far enough and perhaps too far, whether in short the earlier view that took Rousseau as one of the founders of 'liberal Europe' and a firm enemy of despotism is not after all the truer starting-point for a study of his thought.

Considering the political writings of Rousseau as a whole, one is impressed by the fact that he is generally by no means an upholder of established authority. To appreciate his views in their proper perspective it is necessary to remember what was the normal political outlook of French thinkers in his day. Roughly, we may say that French political thought in the latter half of the eighteenth century can be divided into two schools,—the one formed by the followers of Montesquieu, the other by the rest. Practically all the constitutional ideas of the century in France go back to Montesquieu. A hatred of despotic government

runs like a bright thread through the complicated tapestry of his writings and outlines the pattern of his thought. His disciples are indicated by their belief in moderate constitutional government, in the separation of powers and in the rule of law. But few of the leading thinkers of the century are to be found in this group. The first generation of physiocrats definitely believed in despotism, even if it were that kind of 'legal despotism' which they said, rather optimistically, "n'est autre chose que la force naturelle et irrésistible de l'évidence."[1] Although most of the *philosophes* occasionally gave expression to more liberal views, with one or two exceptions they were not very serious students of politics and hardly had anything that could be called a coherent political creed. Most of them had accepted favours from Frederick or Catherine, or such of the lesser despots as could afford to take up the fashionable role of patronizing philosophy, and in France itself, while they attacked the Church and the *parlements* openly, and to a certain extent undermined the position of the *noblesse*, they breathed scarcely a word of criticism on the monarchy.

Diderot provides in some respects an exception to this statement, for the most violent attacks on despots are to be found in his writings, together with an unqualified proclamation of the legislative sovereignty of the people. His immoderate hostility to kings was not proof against the flattery of an Empress, though in justice to him we must observe that in the *Mémoirs* he drew up for Catherine he maintains with unexpected

[1] Sée, *op. cit.*, p. 210: quoted from *Lemercier de la Rivière.*

force his advanced political principles, and condemns even enlightened despotism.[1] After Diderot Raynal is accounted perhaps the most serious enemy of despotism among the *philosophes*, but it is said that he owed the extremer passages in his *Histoire des Deux Indes* to Diderot himself and subsequently disavowed them.

In Voltaire, the acknowledged leader of the French literary world, the liberal sentiments are attenuated and admiration for the despots is extended into practically a general principle of government. One can find, it is true, certain more generous ideas in Voltaire, though the essay which is most frequently cited to prove his liberal tendencies, the *Idées republicaines* (1762), consists mainly of a collection of apopthegms embodying a very *jeujeune* criticism of Montesquieu and Rousseau, while the invocations against despotism with which it begins are evidently inserted merely to make more plausible the attribution to a "citizen of Geneva." More sincere are such sentiments as, "la liberté consiste à ne dépendre que des lois,"[2] or, "Je vous avourerai que je m'accorderais assez d'un gouvernement démocratique,"[3] while his admiration for the liberty he discovers in England seems genuine enough. But isolated phrases such as these cannot affect the general impression one obtains from Voltaire's works and correspondence as a whole. There is no need to elaborate here, what is sufficiently

[1] M. Tourneux, *Diderot et Catherine II*, 1899, p. 143.

[2] Voltaire, *Œuvres*, 1877–85, vol. XXIII, p. 526: *Pensées sur le Gouvernement*, 1752.

[3] *id.*, vol. XXVII, p. 347: *L'A.B.C.*, 1768.

recognized, his contempt for the people, "toujours sot et barbare," his hatred of the *parlements*, the Church, the corporations, and all that moderated the power of the monarchy, his criticism of the *Esprit des lois*, his hero-worship of Louis XIV. Nor need we do more than mention his eulogies of Catherine and the other benevolent despots, the terms of ridiculous adulation in which, however insincerely, he addresses Louis XV, and the well-known passage in which he compares that monarch to Trajan.

Mably is nearer to Rousseau in many of his political ideas, but most of the *philosophes*, though few were as whole-hearted believers in monarchy as Voltaire, inclined politically in the direction of the *status quo*. The victims of their attacks were the subordinate classes and corporations in the state, whose existence was a check on the absolutism of the ruler. Their end, it has been said, was not liberty but efficiency; they are the true prophets of the Napoleonic ideal of benevolent despotism, and of the omni-competent state of the nineteenth century.

Rousseau, on the other hand, must be ranked as the greatest of the disciples of Montesquieu;[1] he is a consistent critic of the benevolent despots and as clear an upholder of the rule of law as Locke himself. His timidity prevented him from making definite attacks on existing governments, which moreover he avoided on principle. In a letter he admits his dislike for kings and says that he is no friend to monarchical

[1] *cf.* E. Carcassonne, *Montesquieu et le problème de la constitution française au XVIII^e siècle*, s.d., pp. 325–32.

government, although he has followed the custom of the gypsies, he adds, in always sparing in their incursions the house that sheltered them.[1] We must not look to him for praise of kings. Even Milord Maréchal's king, and Rousseau's protector in Neuchâtel, won little approval from him, a favourable letter of 1766[2] representing no more than politeness and gratitude. Earlier he had told a correspondent that however much he admired the ability of the King of Prussia he was not to be counted among his partisans. "Je ne puis estimer ni aimer un homme sans principes, qui foule aux pieds tout droit des gens."[3] While the *philosophes* competed to shower flattery on the rulers of Europe, Rousseau—it was one of his crimes in the eyes of his enemies—looked on with a cold contempt. It is a curious fact that the integrity of a writer whose austere political principles saved him from the degradation involved in the relation of royal patron and literary eulogist should be compared unfavourably with that of the hangers-on of the benevolent despots. Consider, for instance, Rousseau's constant rejection of offers of patronage from Russia, and compare with it such a letter as that from Voltaire to Mme du Deffand in which he prides himself on being in Catherine's favour and refers as a mere bagatelle to the little affair of the murder of her husband.[4] Rousseau

[1] *Corr. Gén.*, vol. VIII, p. 68: to Milord Maréchal, August 1762.

[2] *id.*, vol. XV, p. 133: to the King of Prussia, March 30, 1766.

[3] *id.*, vol. IV, pp. 149–50: October 4, 1758.

[4] "Il y a une femme qui s'en fait une bien grande (réputation): c'est la Sémiramis du Nord, qui fait marcher cinquante mille hommes en Pologne pour établir la tolérance et la liberté de conscience. C'est une chose unique

could indeed afford to write to Voltaire, not without pride, that he had rightly judged him a republican, and one who adored liberty and detested domination and servitude.[1] It is true that nowhere subsequently does he speak quite so frankly of despotism as in the *Discours sur l'inégalité*; but his letter to Mirabeau of 1767 serves to show that his enmity was unwavering. "Ne me parlez plus de votre *despotisme légal.* Je ne saurais le goûter, ni même l'entendre; et je ne vois là que deux mots contradictoires."[2]

The general absence of attacks on Rousseau on account of his political writings during his lifetime is worth noting, though naturally his works would read very differently before and after the Revolution. Still, it was remarkable that no attempt was made to suppress the *Discours sur l'inégalité*, a profoundly revolutionary work. This essay strikes the keynote when it speaks of "le despotisme, élevant par degrés sa tête hideuse;" and the note is repeated many times.[3] Two evils he particularly singles out as characteristic

dans l'histoire de ce monde, et je vous réponds que cela ira loin. Je me vante à vous d'être un peu dans ses bonnes grâces: je suis son chevalier envers et contre tous. Je sais bien qu'on lui reproche quelque bagatelle au sujet de son mari; mais ce sont des affaires de famille dont je ne me mêle pas; et d'ailleurs il n'est pas mal qu'on ait une faute à réparer, cela engage à faire de grands efforts pour forcer le public à l'estime et à l'admiration, et assurément son vilain mari n'aurait fait aucune des grandes choses que ma Catherine fait tous les jours."—May 18, 1767; *Œuvres*, vol. XLV, pp. 267–8.

Though one is tempted to do so, it seems hardly possible to treat this as ironic. Yet what play Voltaire would have made with it had the letter been written by someone else!

[1] *Corr. Gén.*, vol. I, p. 302: January 30, 1750.

[2] *Pol. Writings*, vol. II, p. 161.

[3] *e.g. id.*, vol. I, pp. 193–4, 314; vol. II, p. 161.

of the despotic system; the first, that it means government by favourites, with all the accompanying inefficiency and corruption.[1] The second and fundamental one is the to him atrocious possibility that in the state any individual or party can be above the law. Reiterated time and again in his writings, it is the almost exclusive theme of the *Lettres de la Montagne*. The basis of his protest against the Genevan authorities was that they were attempting to override the law of the state and to set their will above the decrees of the sovereign legislative body. "La pire des lois," he cries, "vaut encore mieux que le meilleur maître."[2] "Un peuple est libre,"—his words might be quoted from Burke,—"quelque forme qu'ait son Gouvernement, quand, dans celui qui le gouverne, il ne voit point l'homme, mais l'organe de la Loi."[3]

Where there is a ruler above the law, there for Rousseau not merely is the people not free,—as a people, as an organized state, it does not exist at all. In the person of an absolute ruler he sees force incarnate, disguised internally under the title of law, and externally under that of *raison d'état*.[4] Despotism is merely a synonym for the rule of force, and the despot is only the master so long as he is the strongest.[5] When the only power holding the people together is the will of the ruler, as soon as the tyrant ceases to be the most powerful, the state disintegrates into its

[1] *Pol. Writings*, vol. I, p. 418; vol. II, pp. 78, 80, 511.
[2] *id.*, vol. II, p. 235: *Lett. Mont.*, VIII.
[3] *loc. cit.*, *cf. id.*, vol. I, p. 126; vol. II, pp. 204, 208–9.
[4] *id.*, vol. I, p. 304: *L'état de guerre.*
[5] *id.*, vol. I, p. 194: *Disc. inég.*

constituent fragments.[1] With this we arrive at Rousseau's fundamental objection to absolute monarchy as a form of government. Under it, he holds, the state is a mere collection of individuals, in no way forming a community, at best a sort of conscript army, and at worst a rabble.

2. THE PROPHET OF REVOLUTION

The logical consequence of Rousseau's denunciation of despotic government is revolution, as he himself recognized in the *Discours sur l'inégalité*, where he wrote that since the rights of government depended on the fundamental laws, if these were destroyed the magistrates ceased to be legitimate and the people were no longer bound to obey them. Since not the magistrate but the law constituted the essence of the state, each individual would thus recover his natural liberty. And he concludes, "L'émeute qui finit par étrangler ou détrôner un sultan est un acte aussi juridique que ceux par lesquels il disposait la veille des vies et des biens de ses sujets. La seule force le maintenait, la seule force le renverse."[2] Mercier, who complains that Rousseau does not mention insurrection as a legitimate recourse of an oppressed people,[3] is in fact mistaken, for such is the nemesis which, whether he desires it or not, Rousseau certainly foretells on the despotic governments of the *ancien régime*.

[1] *Pol. Writings*, vol. I, p. 468 : *Con. soc.* (first version).

[2] *id.*, vol. I, pp. 188, 194.

[3] L.-S. Mercier, *De J.-J. Rousseau considéré comme l'un des premiers Auteurs de la Révolution*, 1791, vol. I, p. 60.

However much he may proclaim his antipathy to revolution, the fact cannot be concealed that consciously or unconsciously, in drawing up the plan of an ideal state he was inevitably proposing a revolutionary end: as Beaulavon puts it, to determine the conditions of a just state is to point out the road to those who love justice.[1]

Nor was the revolutionary strain in his writings merely latent. Vaughan argues from the character of the earlier chapters of the *Contrat social* that Rousseau when he wrote them was prepared to see the contract introduced by revolutionary means,[2] and indeed the interpretation of some of his phrases is hardly ambiguous. We cannot misconceive his meaning when he writes, "Ce n'est pas que, comme quelques maladies bouleversent la tête des hommes et leur ôtent le souvenir du passé, il ne se trouve quelquefois dans la durée des États des époques violentes où les révolutions font sur les peuples ce que certaines crises font sur les individus: où l'horreur du passé tient lieu d'oubli, et où l'État, embrasé par les guerres civiles, renaît pour ainsi dire de sa cendre, et reprend la vigeur de la jeunesse en sortant des bras de la mort "[3]

He even goes beyond the theoretic justification of revolution to prophesies of its inevitability and its imminence. In the *Émile* he says, "Nous approchons de l'état de crise et du siècle des révolutions."[4] Or

[1] Beaulavon, *op. cit.*, p. 17. [2] *Pol. Writings*, vol. I, p. 439.

[3] *id.*, vol. II, p. 55: *Con. soc.*, II. viii.

[4] *Œuvres*, vol. III, p. 327: *Émile*, III. He adds in a note, "J'ai de mon opinion des raisons plus particulières que cette maxime; mais il n'est pas à propos de les dire, et chacun ne les voit que trop."

again, "Je vois tous les États de l'Europe courir à leur ruine;"[1] while the famous letter to Milord Maréchal, which chanced to be written in 1768, declares, "Si la nation française est avilie, c'est par le fait d'autrui, et non par le sien propre. Souvenez-vous, milord, qu'elle ne sera pas vile dans vingt ans."[2] It is true, of course, that prophecies of revolution were frequent in eighteenth-century France, and that Rousseau's language does not necessarily imply violent change; indeed Mercier represents him as saying in 1775 that there would be no civil war in France: the blind folly of the court on the one hand, the excessive abuses and increasing enlightenment on the other, would prevent any effective resistance.[3] Finally, when we come to questions of actual politics Rousseau is timidity incarnate. In his *Rousseau juge de Jean-Jacques* he complained that his enemies had represented him as a sedition monger, and treated his love of constitutional liberty as an appeal to frantic licence.[4] His apparent fear of revolution is not to be taken, as Vaughan suggests, merely as a development of the later years of his life. In the dedication to his most revolutionary work, the *Discours sur l'inégalité*, is to be found a warning against revolution that, as we cannot help remarking more than a few times in reading Rousseau, might have come from the pen of Burke. "Les peuples une fois accoutumés à des maîtres ne sont plus en état de s'en passer. S'ils tentent de

[1] *Pol. Writings*, vol. II, p. 425: *Gouv. Pol.*

[2] *id.*, vol. II, p. 16 n. [3] Mercier, *op. cit.*, vol. II, pp. 210–11 n.

[4] *Œuvres*, vol. XI, p. 318: *Rousseau juge de Jean-Jacques, Second Dialogue.*

secouer le joug, ils s'éloignent d'autant plus de la liberté, que, prenant, pour elle une licence effrénée qui lui est opposée, leurs révolutions les livrent presque toujours à des séducteurs qui ne font qu'aggraver leurs chaînes."[1] His *Réponse au Roi de Pologne* of 1752 expresses the opinion that a great revolution is almost as much to be feared as the evils it might be intended to remedy, and that in any case such a revolution should not be desired and cannot be foreseen.[2] His *Jugement sur la Polysynodie* is equally severe against revolutionary changes, especially in such a great country as France. What intelligent man, he asks there, would dare to propose to abolish the old customs, to change the ancient principles, and to give the state any other form than that which has been produced by thirteen centuries of history.[3] As for the *Lettres de la Montagne*, their frequent invocations against civil disturbance, and injunctions that even liberty is too dearly bought at the price of bloodshed, are well known.[4] The same advice is repeated in his correspondence with d'Ivernois. "La paix, mes amis," he counsels, "la paix, et promptement, ou je meurs de peur que tout n'aille mal."[5] The solution he counsels is definitely based on the acceptance of a compromise and the recognition of the legitimate authority of the Magistrates of the city. In republics, he says, respect for the magistrates constitutes the glory of the city.[6]

[1] *Pol. Writings*, vol. I, p. 127. [2] *id.*, vol. I, p. 439, n. 2.
[3] *id.*, vol. I, p. 416. [4] *cf. id.*, vol. II, pp. 229, 244–5, n. 4, 246.
[5] *Corr. Gén.*, vol. XVIII, p. 135: to d'Ivernois, February 23, 1768; *cf. id.*, pp. 82, 99, 115.
[6] *id.*, vol. XVIII, p. 176: to d'Ivernois, March 24, 1768.

Rousseau is moreover in constant fear of seeming to criticize the actual government of France. For it is of France particularly that he is thinking when he writes, for instance, "J'eus et j'aurai toujours pour maxime inviolable de porter le plus profond respect au Gouvernement sous lequel je vis, sans me mêler de vouloir jamais le censurer et critiquer, ou réformer en aucune manière."[1] To put an end to these citations, as Mercier is compelled to confess, it is difficult if not impossible, despite his theoretical hostility to despotism, to find in Rousseau anything positive concerning a right to change any established government by force.[2] In the end, then, if we confine ourselves to the political sphere we find that Rousseau, though with some hesitation, comes down definitely on the moderate side and against revolution. Our examination of his works cannot but confirm the conclusions of M. Mornet who, writing that in political matters neither Voltaire, nor Montesquieu, nor Diderot were revolutionaries, nor most of them even bold reformers, perforce includes Rousseau in the same judgement.[3]

3. ROUSSEAU AND PARLIAMENTARY GOVERNMENT

Even allowing for his unwillingness to approve of revolutionary methods of change, Rousseau's constant hostility to the despotic governments of his day might seem enough by itself to justify us in assuming as a

[1] *Corr. Gén.*, vol. XIII, p. 151: to Buttafoco, March 24, 1765.

[2] Mercier, *op. cit.*, vol. II, p. 3.

[3] D. Mornet, *Origines intellectuelles de la Révolution française*, 1715–87, 1933, p. 476.

consequence that he favoured political liberty: but by itself this conclusion is almost useless. We have still to enquire what form his conception of political freedom will take, and above all whether for constitutional liberty he reads, as his enemies generally allege, despotic democracy. His repeated criticisms of the English constitution seem to stand in the way of the more liberal interpretation, for it is generally taken for granted, especially by native writers, that England was as a matter of course to be regarded in the eighteenth century as the home of political freedom and the model of constitutional progress. Although this interpretation of the English political system dates rather from the continental liberals and parliamentarians of the nineteenth century, it was not without upholders in the previous century. England under the Hanoverians was still the land of Cromwell, Sidney and Locke, even though revolution had degenerated into riot and democracy seemed farther off even than in the days of Lilburne and Harrington. But then democracy was not an eighteenth-century ideal: the ideal established by Montesquieu was constitutional government, by which must be understood a system in which the nominal authority of the monarchy covered the actual rule of an aristocracy, who were the real governors of the country.

Montesquieu himself in his *Notes sur l'Angleterre* had shown that he was not unaware of the grosser features of Whig political machinery, though in the *Esprit des Lois* he suppressed all mention of them. There was in fact always a strain of unfavourable

criticism of the English constitution in France, which increased as the century went on, until by the time of the Revolution the note of hostility was dominant. This evolution did not occur, as Janet and Dedieu held, about 1760, but some twenty years later, at the time of the American War, and can be attributed in part to a transference of admiration to the virile and romantic young republics of the West, and in part to an increased knowledge of the defects of the English parliamentary system.[1] D'Holbach's description sums up admirably the general verdict of France in the pre-Revolutionary phase on the English constitution. The House of Commons, once elected, he said, are no longer responsible to their electors, but much more dependent on the Court, and to it they sacrifice the interests of their constituents.[2] By 1789 England was regarded as the home not of freedom but of corruption, and this newer attitude had perhaps more than a little to do with the failure of the constitutional monarchists in the first stages of the Revolution.

The English example was still frequently quoted, it is true, but generally against the more moderate parties. To give a single illustration, in England, writes Billaud-Varennes, "L'intérêt de la nation est constamment sacrifié à l'ambition du souverain, . . . le grand art du ministère est de tenir dans son portefeuille le tarif des consciences."[3] Not only the prevalent corruption, but also the unrepresentative

[1] G. Bonno, *La Constitution britannique devant l'opinion française de Montesquieu à Bonaparte*, 1932, pp. 273–75.

[2] d'Holbach, *Système social*, 1774, vol. II, pp. 70–1.

[3] Billaud-Varennes, *L'Acéphocratie*, 1791, pp. 4–5.

character of the House of Commons, was well recognized in France. Another revolutionary critic, in an oration at the Jacobin Club, demanded, "Peuple anglais, comment, parmi toi, se fait-il que ce soit le sol, le terrain, on ce qu'on appelle propriété qui soit représenté dans la Chambre des Communes? Quoi! Les richesses seules ont le droit à gouverner?"[1]

It should be remembered that the dominant influence in the formation of eighteenth-century political ideas is classical; and when we turn to Rousseau the influence of Calvinist Geneva is added to that of the ancient city state to establish a mode of political thinking from which the English tradition is markedly different. That Rousseau should be numbered with the critics we have already quoted of the English system of government is, given all these circumstances, not surprising. At the same time we cannot agree with the sweeping statement that in Rousseau the whole principles and practice of the English parliamentary monarchy are joined in a peremptory and summary condemnation.[2] What is really remarkable in fact is the moderation of his criticism, which left scope for an appreciation of what seemed to him the admirable features of the constitution, so that his disciple, Mercier, felt constrained to confess, "En général Rousseau (on doit l'avouer) avait pour point de vue éternel la Suisse sa patrie et un peu l'Angleterre."[3] The two—Geneva and England—are closely associated in the *Lettres de la Montagne*, where his defence of the constitutional

[1] F. Lepelletier, reported in the *Moniteur*, no. 137, February 5, 1794.

[2] Bonno, *op. cit.*, pp. 33–4.

[3] Mercier, *op. cit.*, vol. II, p. 5 n.

liberties of Geneva is supported by citation of the example of England, which provides, he says, a model of the just balance of powers, and where the law, leaving the King no power to do mischief, leaves him a great power to do good.[1] The eulogy of English political institutions in the *Nouvelle Héloïse*, placed appropriately in a letter from my lord Edouard, is well known. "Passé chez la seule nation d'hommes qui reste parmi les troupeaux divers dont la terre est couverte, si vous n'avez pas vu régner les loix, vous les avez vu du moins exister encore; vous avez appris à quels signes on reconnaît cet organe sacré de la volonté d'un peuple, et comment l'empire de la raison publique est le vrai fondement de la liberté."[2]

Rousseau's attack on the English constitution can be reduced to a criticism of one particular feature, to which he is opposed on general theoretic grounds, the system of representation. One explanation that has been proffered for Rousseau's persistent hostility to this is his opposition to the *Petit Conseil* at Geneva, which claimed the right of acting as the representative of the people.[3] There is no more than a verbal connection here, however, for the claim of the *Petit Conseil* was not based on any actual system of representation, and Rousseau's attitude is to be attributed to more fundamental considerations. In his criticism of the functioning of the English representative system, what Rousseau opposes is not the inadequacies

[1] *Pol. Writings*, vol. II, pp. 266, 271.

[2] *La Nouvelle Héloïse*, ed. Mornet, 1925, vol. IV, p. 2.

[3] G. Vallette, *Jean-Jacques Rousseau génevoise*, 1911, pp. 190–1.

of the English electoral rolls. This fact, even had he been aware of it, would not have appeared to him as a defect: the citizenship of Geneva was itself narrowly restricted, but he never raised his voice on behalf of his unenfranchised fellow-townsmen. So, in England his criticism is directed almost exclusively against the English Parliament's peculiar independence of its constituents, whence arises his famous saying that the English people is only free during the election of members of Parliament.[1] The basic fact for him in this connection is the undue length of time elapsing between elections, which enables members to become almost entirely independent of their constituents, and is a natural consequence to fall under the influence of royal corruption.[2] As a result of this, within twenty years, he believes, the English will have shared the fate of the Danes and the Swiss and will have lost their liberty, or rather, as he corrects himself elsewhere, the relics of their liberty.[3] Such is his interpretation of the Middlesex election controversy. Admitting that Wilkes stood for nothing in himself, nevertheless by the example of his exclusion a precedent had been established, and henceforth only those members who were agreeable to the Court would be allowed to take their seats in the Commons.[4] It is easy to see that Rousseau is taking Whig denunciations of royal interference at their face value, though his comments are not without shrewdness.

[1] *Pol. Writings*, vol. II, p. 96: *Con. soc.*, III. xv.
[2] *id.*, vol. II, pp. 448, 450: *Gouv. Pol.*
[3] *id.*, vol. I, p. 373, n. 1; vol. II, p. 464; *Corr. Gén.*, vol. V, p. 300.
[4] *id.*, vol. II, p. 454: *Gouv. Pol.*

From all this we may conclude that Rousseau's observations on the English political system are not to be taken as evidence of a general dislike of constitutional government, still less of any hankering after a despotic system. He never denied that the government of England was a free one as compared with those prevailing in most other countries. Corruption, he allowed, if an abuse of liberty, is also a proof that liberty exists. "Tout Anglais, à l'abris des lois, peut braver la puissance royale."[1] Nor, again, was the criticism by Rousseau of much importance in causing the decline of admiration for the English constitution in France.[2] In the *Gouvernement de Pologne* he even relaxes his ban against representation, which he is now willing to accept, so long as there are frequent diets and the representatives are strictly compelled to follow the instructions of their constituents; they are left free, moreover, to decide for themselves any unanticipated question which may arise.[3] Nevertheless, whatever modifications he may introduce later, it is not a false notion which has led some commentators to fix on this question of representation and his consequent criticism of the English constitution as one of the vital points in Rousseau's political thought. On his principles the representative would be reduced, one must admit, to a mere delegate, bound hand and foot by instructions, limited by referendum and recall, and at best only allowed to exercise what functions

[1] *Pol. Writings*, vol. II, pp. 266, 267, 271: *Lett. Mont.*, IX.
[2] Bonno, *op. cit.*, p. 35.
[3] *Pol. Writings*, vol. II, pp. 450–52: *Gouv. Pol.*, VII.

remain for a very limited period. But it is only fair to note that his authority is purely legislative: to have proposed such restrictions on an executive agent would have been ridiculous and Rousseau made no such attempt.

To do full justice to Rousseau it is necessary to remember that even in the eighteenth century the modern representative system existed only in embryo, and that the medieval idea of representation, which still survived, did not necessarily imply election. To put it crudely, a great landowner might in a sense be considered to represent his land, and therefore the communities on it. Representation, of course, was always of communities, not of individuals,—but this is perhaps not such a mistaken idea, for it might be held that a community, or at least its ideals and interests, can be represented, whereas an individual can not. The idea of representation as a quality especially inherent in the landed aristocracy is particularly evident in Burke, who, however, gave what he called 'virtual representation' an undue extension. His principles assume the existence of a privileged, hereditary governing class, and at bottom this is the very conception against which Rousseau was revolting. The attempt to concentrate an hereditary authority in the hands of a certain number of families was, he held, the greatest abuse in Genevan political life.[1] That Rousseau definitely envisaged representation in the feudal sense is shown in the *Contrat social*, where in so many words he points out the medieval origin of

[1] *Corr. Gén.*, vol. XVIII, p. 15: to d'Ivernois, February 9, 1768.

the principle.[1] He is still sufficiently a man of his century for this to be in itself a ground for condemnation.

On this, as on so many other points, what he says is, as he himself claims, implicit in Locke, and all that he is doing is to draw the obvious practical conclusions.[2] But when Locke had been read existing political conditions had been taken for granted. His arguments had been utilized against the Stuart monarchy and it had not been seen what dangerous implications they contained for the whole political system of the country. Certainly Locke himself had never realized the conclusions that might be drawn from his theories. Rousseau, however, had no desire to see the power of the despotic monarchy abolished to the advantage of the privileged classes. So long as the old idea of representation, exemplified in the English constitution and in the claims of the oligarchy at Geneva, was present to his mind, it was natural that he should be an opponent of the representative system. If he could have foreseen the development of the modern party system and the professional politician it is to be doubted if he would have regarded the difficult problem of representation as yet adequately solved.

As a consequence of rejecting the principle of representation, Rousseau is compelled to confine the

[1] *Pol. Writings*, vol. II, p. 96: *Con. soc.*, III. xv. "L'idée des Représentants est moderne: elle nous vient du Gouvernement féodal, de cet inique et absurde Gouvernement dans lequel l'éspèce humaine est dégradée, et où le nom d'homme est en déshonneur."

[2] *id.*, vol. II, p. 206: *Lett. Mont.*, VI.

legislative power to the people, and if representatives are allowed, to treat them strictly as delegates. But without a clear recognition of what he understood by the sovereign people we will be liable to misinterpret his political creed. Nowhere does he allow the people in a political sense to be the whole adult, or even the whole adult male population. If we desire positive evidence of the conservative nature of his outlook on the practical politics of his day, it can be found in the *Lettres de la Montagne* and the *Gouvernement de Pologne*. The first, a clear appeal for moderate constitutional government, and a strong indictment of the attempt by a small oligarchy of ruling families to usurp the government of Geneva, is lacking in any plea for an extension of citizenship in a democratic direction. Yet the *Lettres de la Montagne* have been described as the *Provinciales* of political democracy and religious liberalism.[1] In them, and even more in the constitution for Poland, we find plenty of evidence of Rousseau's political caution, and his respect for historical traditions.[2]

From a modern point of view his conservatism may even seem excessive, since it does not permit him to contemplate the extension of political rights from the sixteen hundred odd citizens and bourgeois of Geneva to the many times more numerous, but always disenfranchised *habitants*, *natifs* and *sujets*. If one compares Rousseau's unquestioning acceptance of their political inferiority with Locke's suggestions for the

[1] G. Vallette, *op. cit.*, p. 295.

[2] As Vaughan points out, *e.g. Pol. Writings*, vol. II, p. 188.

reform of the English franchise, the later thinker will not necessarily appear the more advanced.[1] It is not to make any new claim for political power on behalf of the populace of Geneva that Rousseau intervenes in the political controversy: it is of the sixteen hundred of the *Conseil Général* that he says, "Il est la Loi vivante et fondamentale, qui donne vie et force à tout le reste, et qui ne connaît d'autres droits que les siens. Le Conseil général n'est pas un ordre dans l'État; il est l'État même."[2] More remarkable still is his willingness to tolerate, at least as a temporary measure, the institution of serfdom in Poland, and his insistence on the necessity before all else of rendering the serfs, who were to be free, first worthy of their liberty and capable of maintaining it.[3]

In the sphere of practical politics Rousseau consistently favours what the eighteenth century called *gouvernement mixte*, formed by a balance of councils combining both the aristocratic and the democratic principles, "où le peuple soit libre sans être maître et où le Magistrat commande sans tiranniser."[4] If there is nothing here in favour of a democratic franchise, equally there is nowhere the slightest hint of willingness to accept despotic government. In spite of his opposition to the representative system, so far as concerns the governments of the eighteenth century and his own practical proposals for their

[1] Locke, *Second Discourse on Government*, §§ 157, 158.

[2] *Pol. Writings*, vol. II, p. 217 : *Lett. Mont.*, IX.

[3] *id.*, vol. II, pp. 445–46 : *Gouv. Pol.*, VI.

[4] *Corr. Gén.*, vol. XVIII, p. 101 : to Coindet, February 9, 1768; *cf. id.*, pp. 109–10.

amendment Rousseau is unmistakably on the side of moderate constitutional government. And if in the end he has to choose between the abuse of liberty and the abuse of power it is the former evil that he prefers, for, "l'abus de la liberté tourne au préjudice du peuple qui en abuse, et, le punissant de son propre tort, le force à en chercher le remède. Ainsi, de ce côté, le mal n'est jamais qu'une crise, il ne peut faire un état permanent; au lieu que l'abus de la puissance, ne tournant point au préjudice du puissant, mais du faible, est, par sa nature, sans mesure, sans frein, sans limites."[1]

[1] *Pol. Writings*, vol. II, p. 284: *Lett. Mont.*, IX.

would hardly be fair to sum up Rousseau's God in the terms that have been used to describe Voltaire's as a celestial gendarme; nevertheless it is clearly the social and political utility of religion that he has in mind in the *Contrat social*. Indeed the chapter on the Civil Religion originally began, "Sitôt que les hommes vivent en société, il leur faut une religion qui les y maintienne. Jamais peuple n'a subsisté, ni ne subsistera, sans religion."[1]

Had Rousseau accepted the intellectualist political psychology of the *philosophes* he would have left the matter here and the chief source of his quarrel with them would have been lacking. But he was always acutely conscious of the emotional structure of social life. To begin with, therefore, his political religion has a vitality not to be found in the frigid platitudes of the Encyclopædia. Moreover, we must not forget that he is primarily a moralist and that to him the good state and the virtuous individual are equally necessary the one to the other. Now since he is unwilling—in spite of Wolmar—to allow that a man can be virtuous without religion, the result is to make religion essential to the individual as well as to the state, whence arises the possibility of conflict as we shall see. It is with the political aspect of religion alone that he is concerned in the *Contrat social*, with the religion which, as Vaughan puts it, enforces one's duties to one's neighbours, in other words one's duties as a member of the state,[2] and which is "une profession de foi

[1] *Pol. Writings*, vol. I, p. 499; *cf.* P.-M. Masson, *La Religion de Rousseau*, vol. II, p. 186.

[2] *id.*, vol. I, p. 88.

purement civile."[1] This he is unwilling to permit the churches to provide for fear partly of clerical intolerance, but still more, as we have said, of a divided sovereignty.

What has been rightly questioned is whether Rousseau's attempt to avoid the defect of intolerance is as successful as his solution of the other difficulty, by the concentration of religious and civil authority in the same hands. Nor can we explain away the rather unfortunate language of his chapter on the Civil Religion by pointing out that elsewhere Rousseau has denounced intolerance in no qualified terms. If I were magistrate, he wrote in the *Nouvelle Héloïse*, and the law pronounced the death penalty against atheists, I would begin by burning as such the first person to inform against another.[2] But even his letter of 1756 to Voltaire, which eloquently denounces intolerance, allows the necessity of a 'profession de foi civile.'[3] He does not there venture into details, but as Masson has observed of a rather different aspect of the religious philosophy of Rousseau, what he believed to be the religion of nature was often only the religion of his fathers; similarly his Civil Religion has an effect not so very different from that of the churches of his day, though the setting is different. Beaulavon describes it not unfairly as a sort of utilitarian intolerance substituted for dogmatic intolerance.[4]

When Rousseau proscribes religions that are themselves intolerant it is possible to see the grounds of

[1] *Pol. Writings*, vol. II, p. 132: *Con. soc.*, IV. viii.

[2] *Nouv. Hél.*, vol. IV, p. 103 n.

[3] *Corr. Gén.*, vol. II, pp. 320–23: to Voltaire, August 18, 1756.

[4] Beaulavon, *op. cit.*, p. 340, n. 1.

his argument. It is impossible to live in peace, he writes, with those whom one believes to be damned, which sounds plausible enough, though we may be able to say that in practice it does not seem impossible at all. Again, when he punishes atheism with death it is not on religious grounds but for 'le mensonge devant la loi.' But although more than once he admits that the law cannot command men's beliefs, this is what, in essence, he is demanding of it. To pretend that each citizen has the possibility of considering for himself the principles of the civil religion, and if they conflict with his conscience of rejecting them and quitting the community is ridiculous, and shows that Rousseau is still not really emancipated from the influence of the artificial, intellectualist and contractual theory of the state. Besides, if the elementary principles of the civil religion are essential to every state, as Rousseau believes, whither shall he who refuses to accept them fly,—unless to Oceania and back to the state of nature?

In the *Lettres de la Montagne* Rousseau emphasizes certain safeguards, which modify, without essentially changing, the theory of the Civil Religion as expounded in the *Contrat social.* It is, he says there, only those aspects of religion which concern public welfare and social morality, the duties of the man and the citizen, which come under the jurisdiction of the government.[1] His doctrine, he expressly adds in another place, is not that of absolute power.[2] Moreover when he puts

[1] *Œuvres,* vol. VI, p. 134: *Lett. Mont.,* I.
[2] *id.* vol. X, pp. 218–19: *Lett. Mont.* V.

even these aspects of religion under the state it is not the power of the executive that he understands by this, but the authority of the community, acting legislatively through the General Will.[1] On the other hand even in strictly religious matters he allows that the state may establish and prescribe for teaching in its schools those doctrines which are held by the majority, —this for the sake of order and system in the public instruction. The liberty of the individual, he adds, is not hindered thereby, since no one is forced to teach in spite of himself.[2] Of the liberty of the pupils he says nothing. To a certain extent the development of state education in modern times supplies the official teaching of a set of moral and even political principles; but the specifically religious instruction which he permitted the state to undertake is on the whole excluded, and on this very argument of interference with the liberty of the individual.

We must not carry our condemnation of Rousseau too far, however. The Civil Religion constitutes one of the counts on which he has been most severely attacked as a prophet of revolutionary intolerance, but it has been pointed out that many aspects of the religious policy of the Revolution which have been attributed to him are no more than an echo of the deism of Voltaire and the Encyclopædists.[3] Even the civil fêtes and hymns, which seem so eminently characteristic of Rousseau, are proposed equally in

[1] *Œuvres*, vol. VI, pp. 240–1: *Lett. Mont.*, V.

[2] *id.*, vol. VI, p. 159: *Lett. Mont.*, II.

[3] A. Aulard, *Histoire politique de la Révolution française*, 5th ed., 1921, p. 646.

the works of his greatest enemy.[1] Of Robespierre, however, though in character he differed so greatly from Rousseau, Masson concludes that in religious ideas, "N'importe! les deux hommes marchent sur la même route."[2] It is all the more interesting to see that even Robespierre was compelled on one occasion to protest against the application of Rousseau's doctrines. In a discussion at the Jacobin Club on May 15, 1794, of a proposal to denounce as traitors all professed atheists, he argued, "Il y a des vérités qu'il convient de présenter avec ménagement, telle cette vérité proclamée par Rousseau, que ceux qui ne croient pas à la divinité doivent être bannis de la République. Je ne suis pas d'avis qu'on les proscrive tous, mais seulement ceux qui conspirent contre la liberté. . . . Il faut laisser cette vérité dans les écrits de Rousseau et ne pas la mettre en pratique."[3] If one is looking for examples of religious intolerance in the Revolution there are other illustrations than Robespierre, and among statesmen who can in no way be accused of being particularly disciples of Rousseau.

To return to the Civil Religion, one might be tempted to suppose that Rousseau's ideal is represented by the state religions of the ancient world, and certainly one cannot but detect in this as in many other respects the influence on him of the city state. It happens, however, that he has himself specifically ruled out the religions of the ancient world, as super-

[1] Masson, *op. cit.*, vol. III, p. 233. [2] *id.*, vol. III, p. 239.
[3] Quoted by E. Champion, *Jean-Jacques Rousseau et la Révolution française*, 1909, p. 234.

stitious, tyrannical, exclusive and sanguinary. One cannot help wondering what he would have said of his own Civil Religion had he ever seen it in practice. He evidently never grasped what the system he was proposing meant, for, ironically enough, he concludes the chapter on the Civil Religion with an eloquent and evidently sincere denunciation of intolerance.

The difference between the Civil Religion as depicted in the *Contrat social* and Christianity in any form is striking and not merely accidental, for it reappears in the *Gouvernement de Pologne* and is commented on frequently by Rousseau himself. In his political observations on Christianity he adopts—incongruously enough—the pose of a Roman of the old school. It is a religion for slaves, for men who in this world have no fatherland.[1] The same doctrine is repeated in the Letter to Usteri of 1763,[2] and in even bolder terms in the first *Lettre de la Montagne*, where he says of Christianity what he has formerly said of the churches, that it destroys the unity of the body politic, the *corps moral*,[3] a statement with which he has already alarmed himself so much that he has tried to get out of it, only in the end to assert it with increased emphasis. One can begin to see why in his own time the author of the *Vicaire Savoyard* aroused such violent religious ' ostility. His share in the revival of religious emotions otwithstanding, he never treats religion as a good in itself but always has in mind either its moral effects on the individual or its political effects on society, and

[1] *Pol. Writings*, vol. II, pp. 130, 131: *Con. soc.*, IV. viii.
[2] *id.*, vol. II, p. 166. [3] *id.*, vol. II, p. 171.

it is in connection with the latter that he cannot hide from himself the fact that Christianity is the enemy of patriotism. Christian charity, as he tells Usteri, does not permit us to draw a distinction between our fellow-countrymen and foreigners: it is suited for the making neither of republicans nor of warriors.[1]

Yet where he speaks of the influence of religion over the individual his tone is entirely different. We may try to explain this by saying that in the *Émile*, for instance, he is treating religion only as a spiritual force and not as taking the form of an organized church. But indeed he is faced, as he recognizes himself, with an insuperable difficulty. "*La science du salut*" is one thing and that of government another.[2] Since all human institutions are based on human passions and maintained by them, a religion of which the object is to combat and destroy the passions, he argues, is not appropriate to strengthening these institutions.[3] True Christianity is for Rousseau an approximation to the religion of nature; therefore, though it can play a useful part in moderating human passions, if it were accepted in its entirety it would destroy the state.[4] We should remember, in fairness to Rousseau, that, as Masson has observed, the criticism of Christianity on political grounds was almost a common-place among the *philosophes*. On this, as on many other points, he was more one with his enemies than either he or they supposed.

[1] *Pol. Writings*, vol. II, p. 166.
[2] *id.*, vol. II, p. 172: *Lett. Mont.*, I.
[3] *id.*, vol. II, p. 170: *Lett. Mont.*, I.
[4] Masson, *op. cit.*, vol. II, pp. 183–4.

There we must leave the matter: Rousseau hardly makes any attempt to reconcile religion as a political force with what he admits to be the good religion for the individual and for humanity. This has rightly been regarded as the sphere in which he calls on the individual to make the greatest sacrifices to the state of which he is a member, though it is only just to say that they are hardly greater than Locke demands in the *Essay on Toleration*. In addition, it is not a sacrifice of liberty to a government, but to the community. The object of Rousseau was to free the individual from the tyranny of a caste of priests and subject him only to those religious principles which were dictated by the nature and necessities of the state itself. But, in the end, one cannot pretend to regard the chapter on the Civil Religion as other than unfortunate: Though so short, more than any other section of his political writings it helps us to understand why its author should have been so often regarded as the apostle of tyranny and an enemy to liberty in the state.

3. ABSTRACT CHARACTER OF THE *CONTRAT SOCIAL*

If we have no more than the arguments derived from his observations on associations and the Civil Religion we have hardly adequate grounds for maintaining that Rousseau upholds the despotism of the state, in the face of his many positive pronouncements against despotic rule of any kind. Appeal is made, however, not only to these two details but to the whole

conception of the state embodied in the *Contrat social*. Before we can go on to this broader issue, a preliminary consideration has to be disposed of. The *Contrat social* is primarily an analysis of the idea of sovereignty and of the elements of the ideal state: is it not therefore, it may be asked, essentially theoretical, merely the abstract part of the bigger and more comprehensive treatise on political institutions that Rousseau at one time intended to write? And if so, will not this fact affect in one way or another our judgement of the work and of its bearing on the problem of individual liberty and state sovereignty? Its author himself has described it as a book confined to general theory on the foundations of government. It is, he wrote, "Un livre où l'on n'examine les gouvernements que par leurs principes et par les conséquences nécessaires de ces principes," adding that therefore it can have no application to any particular government which is not equally applicable to all other governments of the same kind.[1]

But we have never pretended that Rousseau is incapable of inconsistency; and while he commences in as abstract a fashion as anyone could wish, with the appearance of the Law-giver he inevitably allows questions of expediency rather than right to creep in. The fact that he subsequently goes into details of constitutional arrangements, as well as his inability to decide whether the contract itself is a historical or a philosophical conception, has partially obscured the abstract basis of his study. This intermingling of considerations derived from abstract principle with those

[1] *Corr. Gén.*, vol. VII, p. 256: to M.-M. Rey, May 29, 1762.

based on expediency, is not to be attributed to unawareness of the importance of the distinction, as is made clear by his observation concerning Montesquieu that, "Il n'eut garde de traiter des principes du droit politique; il se contenta de traiter du droit positif des gouvernements établis; et rien au monde n'est plus différent que ces deux études."[1]

One should not, of course, see here any justification of Faguet's view that the *Contrat social* was conceived as a refutation of Montesquieu.[2] On the contrary, its author was always willing to admit that facts were stubborn things and to treat questions of practical politics from the point of view of expediency. In the *Contrat social* itself he allows that every state must have not the constitution that is best in itself, but that which is best suited to the state for which it is destined.[3] Again, one could hardly ask for anything more explicit than a passage in the *Lettre à d'Alembert*,— "L'homme est un, je l'avoue; mais l'homme modifié par les religions, par les gouvernements, par les lois, par les coutumes, par les préjugés, par les climats, devient si différent de lui-même, qu'il ne faut plus chercher parmi nous ce qui est bon aux hommes en général, mais ce qui leur est bon dans tel temps ou dans tel pays."[4] A government, the best in certain circumstances, may be, he believes, the worst in others.[5]

[1] *Pol. Writings*, vol. II, p. 147: *Émile*, V.

[2] Faguet, *La Politique comparée, etc.*, p. 59.

[3] *Pol. Writings*, vol. II, p. 62: *Con. soc.*, II. ix.

[4] *Œuvres*, vol. VI, p. 442: *Lett. à d'Alembert*; *cf. Pol. Writings*, vol. II, p. 205.

[5] *Pol. Writings*, vol. II, p. 157: *Émile*, V.

As, finally, he says in the letter to the Marquis de Mirabeau, "La science du gouvernement n'est qu'une science de combinaisons, d'applications et d'exceptions, selon les temps, les lieux, les circonstances."[1]

If Rousseau admits all this then certainly he cannot deny the necessity for a study of actual working institutions such as Montesquieu attempted, nor indeed does he. He had a weakness for striking phrases, and of the phrase with which he began the *Discours sur l'inégalité*—"Écarter tous les faits"—one might almost say that it has distorted the whole interpretation of his thought. But, as Hubert explains, the facts which he wishes to put on one side are those of the book of Genesis, and with this accomplished, "Voilà donc le problème transposé sur le plan positif et historico-ethnographique." The point of view, he adds, becomes definitely that of a kind of sociological darwinism.[2] Such a standpoint was not so rare in the eighteenth century as one is sometimes tempted to suppose. Even the mathematician, d'Alembert, concedes in the *Encyclopédie* that morals, public law and history belong in a certain sense to 'experimental philosophy,' and demands the establishment of chairs for their teaching as such.[3] Hence, incidentally, the great taste of the eighteenth century for collections of voyages with descriptions of foreign and barbaric manners and customs, for constitutional studies, at first particularly of England but later of France also, and for medieval

[1] *Pol. Writings*, vol. II, p. 159: *Lett. à Mirabeau*, 1767.

[2] R. Hubert, *Rousseau et l'Encyclopédie* (1742–56), 1928, p. 89.

[3] *Encyclopédie*, art. 'Experimental.'

histories, again with special reference to constitutional antecedents.

In Rousseau this tendency is well represented. The *Discours sur l'inégalité* is packed with references to the actual accounts of historians and of travellers.[1] The *Lettres de la Montagne* form a study of the operation of a particular constitution in the special environment of Geneva and are practical both in origin and in aim. The *Constitution de Corse* and even more the *Gouvernement de Pologne* provide a thorough illustration of the application of what one might call a sociological method to a political problem. Vaughan draws an unnecessary distinction in so far as he compares Rousseau's earlier 'abstract' political thinking with such examples of the method of Montesquieu as are provided by the *Poland* and the *Corsica*.[2] It seems to us, on the contrary, that the same trend can be clearly distinguished in his mind almost from the beginning of his career as a writer on politics. It is true, as Vaughan also says, that the abstract and the concrete strands are curiously intermingled in his thought,[3] but this fact in itself suggests that perhaps it is possible to trace a more intimate connection between them.

Though it is not always easy for the reader to discover whether Rousseau is dealing with the practical or the ideal, the fact should not be attributed to any fundamental confusion in his ideas. The charge of confusing the ideal with the actual, the kingdom of

[1] *Cf.* J. Morel, *Les sources du Discours sur l'origine de l'inégalité*, in *Annales de la Soc. J.-J. Rousseau*, vol. V.

[2] *Pol. Writings*, vol. I, p. 79.

[3] *id.*, vol. I, p. 77

God with the kingdoms of this earth, is one which is made—not without justification—against some of the Idealist Philosophers, but from which Rousseau was altogether exempt. He is too profoundly pessimistic to have much hope of seeing his ideal state realized on earth. His ignorance of classical conditions allows him, like many of his contemporaries, to imagine that the city states of the ancient world presented an approximation to it,—all the more easily because his political ideals are themselves derived largely from classical sources. But in these later times, except for a few small states, such as Geneva or Corsica, he has little hope of seeing any practical realization of the principles of the Social Contract, failing which, he fears, 'perfect Hobbism' or the government of sheer force is the only practicable alternative.[1] Seek out, his tutor instructs Émile, a state where the laws rule; but where will you find it, where even will you find laws? Everywhere individual interest and passions usurp the dignity and the title of the laws.[2] Considering the governments of Europe in his day and in the subsequent century, it is not easy to say that he was wrong.

The objection that inevitably arises in one's mind has been anticipated by Rousseau, who puts it in the mouth of Émile. Why, he asks, if the perfect state is not made for men, should we trouble our heads about it? He troubled about it himself primarily

[1] *Pol. Writings*, vol. II, p. 161: *Lett. à Mirabeau*, 1767. Rousseau elsewhere states that this letter was written in haste and never intended for publication, but he does not disavow its sentiments, *v. Corr. Gén.*, vol. XIX, pp. 90–1.

[2] *Œuvres*, vol IV, p. 210: *Émile* V.

because he had a passion for truth,—not, it must be admitted, that obsession for exactitude in details which can be a mere cloak for fundamental intellectual dishonesty, but for truth in a deeper and broader sense. "La vérité générale at abstraite," he wrote at the end of his life, "est le plus précieux de tous les biens."[1] In the *Émile* his reply is that right is not dependent on human passions; our duty is first to discover what is right in politics. Subsequently we may examine actual circumstances to see what men have made of it, "et vous verrez de belles choses."[2] We must use, that is, our conception of the ideal state as a criterion by which to measure actual states.

This way of looking at the *Contrat social*, as setting up a standard of values, which is abstract in so far as it is primarily concerned with general political principles and not with the modifications which may be necessary in their practical application in the circumstances of a particular state, has been summed up so admirably by Lanson that one cannot do better than quote his conclusion. "Les principes du *Contrat* recommandent moins certaines institutions qu'une certaine manière de comprendre les institutions, quelles qu'elles soient: le *Contrat social* serait réalisé sans révolution, le jour où, dans la conscience du chef comme dans celle des sujets, vivrait l'esprit qui a dicté le Contrat. . . . L'erreur que certaines discussions du *Contrat* dénoncent, contre Montesquieu, c'est qu'il y ait des institutions intrinsèquement et nécessairement

[1] *Confessions*, etc., vol. III, p. 193: *Promeneur solitaire*, IV.
[2] *Pol. Writings*, vol. II, p. 158: *Émile*, V.

libérales."[1] The institutions of a state, that is, are less important than the spirit in which they are worked and the intellectual principles on which they are based. The *Contrat social* is concerned primarily with the latter. In this sense and in this sense only is it an abstract work, but these are, after all, the really vital considerations, and influence the relationship of the state and the individual far more intimately than any mere matter of governmental machinery. On this count, therefore, far from ruling out the *Contrat social* as abstract, we must emphasize its importance as the true base of Rousseau's political system.

4. THE CITY STATE

Although the *Contrat social* is to be considered as an abstract work in the sense that it is concerned with political principles rather than with the modifications that might be necessary in putting them into practice, certain features which to us may seem clear proof of its impracticable nature had no such implication in the eighteenth century. Indeed Rousseau himself wrote that if he had merely drawn up an abstract system of politics it would have aroused no interest, or at least no serious opposition; his book would have been relegated along with the *Republic* and the *Utopia* "*dans le pays des chimères.*" But, he says, he painted the constitution of a state that actually existed, and those who were trying to subvert that constitution naturally

[1] G. Lanson, *L'unité de la pensée de Rousseau*, in *Annales Soc. J.-J. Rousseau*, vol. VIII, pp. 1–32.

could not forgive him.[1] This state was Geneva where, he said,

> Tout petit que j'etois, foible, obscur citoyen,
> Je faisois cependant membre du souverain.[2]

and this fact, even if he exaggerated his debt to his native city, helps us to understand some of the implicit assumptions of the *Contrat social.*

Throughout the book it is taken for granted that the state, if it is to be a good one, must necessarily be small in extent, confined to a single town and the neighbouring countryside, and approximating in type to the city state. This is not peculiar to Rousseau. As has been said, taking Montesquieu, Morelly, Rousseau, Mably, and a host of others, we find that at bottom they uphold one and the same social conception, however widely their characters and ideals may vary; it is, in the language of d'Argenson, that of a "ménagerie d'hommes heureux," a little equalitarian republic.[3] Nor does this seem surprising if we reflect that the historical literature of the earlier eighteenth century was still almost exclusively classical. Rousseau himself was an enthusiastic admirer of the classical virtues: the moralist Plutarch was, he claimed, the first reading of his childhood, and would be the last of his old age.[4] In the *Lettre à d'Alembert* he devotes eulogies to Sparta and it is significant that his one attempt at historical writing was a fragment

[1] *Pol. Writings*, vol. II, p. 203: *Lett. Mont.*, VI.

[2] *Œuvres*, vol. XIII, 418. *Épitre à M. Parisot*, 1742.

[3] Espinas, *La philosophie sociale du XVIII^e siècle et la Révolution*, 1898, p. 91.

[4] *Confessions, etc.*, vol. III, p. 190: *Promeneur solitaire*, IV.

of a history of Lacedæmon. In addition, as has already been pointed out, we have to reckon with the even greater attraction exercised by Geneva over his mind. There is no need to labour the fact of these influences: they are written large throughout his political writings.

Though the influence of education and early environment may count for much in the passion with which Rousseau espouses the cause of the small state, he can support himself also with arguments not lacking in validity. That which goes deepest, to which indeed an answer has hardly yet been found, appears already in the *Discours sur l'inégalité*. "Si j'avais eu à choisir le lieu de ma naissance, j'aurais choisi une société d'une grandeur bornée par l'étendue des facultés humaines, c'est-à-dire par la possibilité d'être bien gouvernée."[1] Although Rousseau does not proceed to analyse further the desideratum he here indicates, it is quite clear that he has put his finger on one of the weakest features in Western civilization. The over-great extension of the modern state and the ill adaptation of human psychology to cope with the huge and complicated nexus of modern society is certainly not less a problem in our time than it was in his.

The conclusions drawn by Rousseau from this argument are to be found scattered throughout his writings. Those that would have been natural in his own age hardly carry conviction to-day. He claims, for instance, that in the great state the people will have less affection for leaders whom they never see,

[1] *Pol. Writings*, vol. I, p. 126.

a country which is as vast and diverse as a world to them, and for fellow-citizens of whom the great majority must necessarily be strangers.[1] To which we may reply that the remoteness of the leader is not necessarily a disadvantage. By allowing him to appear in public only on suitable occasions it facilitates the creation of a public personality which may differ greatly from his real one. For the nation his life can become a series of grand gestures. Thus scope is provided for the development of a legend unhampered by any awareness of defects such as might become evident in the more intimate relationship of a little community. As for the other objection, we need only remark that the patriotic sentiment seems almost limitless in its capacity for expansion.

To come to considerations of possibly a more permanent order, in the small state, says Rousseau, liberty can be greater. The larger the state the stronger the government has to be and the weaker therefore the individual citizen.[2] Again, in the great state the capital inevitably usurps the sovereignty of the nation.[3] Not only is the small state freer, it is also, he believes, stronger in proportion than the large state. "Plus le lien social s'étend, plus il se relâche."[4] Its strength, however, is for defence rather than for aggression; its size forbids it to be smitten with the "féroce amour des conquêtes."[5] There is, indeed, a maximum size

1 *Pol. Writings*, vol. II, pp. 56–8: *Con. soc.*, II. ix.
2 *id.*, vol. II, p. 154: *Émile*, V.
3 *id.*, vol. II, p. 487: *Con. soc.* (first version).
4 *id.*, vol. II, p. 56: *Con. soc.*, II. ix; *cf. id.*, vol. I, p. 299: *L'état de guerre.*
5 *id.*, vol. I, p. 127: *Disc. inég.*

which a state cannot exceed without weakening itself; for the reasons which lead a state to extend its frontiers depend on its external relations, whereas those which tend to keep it in its original limits derive from its nature and internal constitution and are therefore absolute.[1] Though many of these arguments would be of doubtful validity to-day, their place has been taken by others, and the issue is as open as ever it was.

The note that Rousseau struck at the beginning of his career is repeated at the end in the *Gouvernement de Pologne*, for the fact that he consented to draft proposals for the reform of the constitution of Poland in no way indicates a change of heart on this question. "Grandeur des nations, étendue des États; première et principale source des malheurs du genre humain, . . . Presque tous les petits États . . . prospèrent par cela seul qu'ils sont petits. . . . Tous les grands peuples, écrasés par leurs propres masses, gémissent, ou comme vous dans l'anarchie, ou sous les oppresseurs subalternes qu'une gradation nécessaire force les rois de leur donner."[2] We must therefore take him quite seriously when in the *Contrat social* he limits his ideal state to a single city and when he complains that he has written only for his native city and similar small states, that he did not dream of reforming the great states of Europe, but only of checking the corruption of those which still retained their original size and something of their primitive simplicity.

We have constantly to keep in mind the distinction

[1] *Pol. Writings*, vol. II, pp. 56, 57: *Con. soc.*, II. ix.
[2] *id.*, vol. II, p. 442: *Gouv. Pol.*

between the world for which Rousseau wrote and that in which we read him. When he wrote, as Vaughan reminds us, the development of the nineteenth century state, with its teeming population and its all-enveloping nationalism could scarcely have been foreseen. Of the complexities of modern industrialism and the continual demand for fresh legislation to meet ever changing circumstances Rousseau could have no conception. He is all along thinking of the small, simply organized, conservative state, where the inhabitants live as their fathers have lived, and where, once the constitution has been established, the passing of new laws would be a very rare event.[1] This is worth bearing in mind, because thus the legislative sovereignty of the state would only occasionally be called into force; in the main it would be concerned simply with safeguarding the constitution; and practically everything that we would normally characterize as activities of government would be left to the executive, the authority of which, as we shall see, is strictly limited. The consequence to the liberty of the individual of an attempt to subject the great state of to-day to a political system conceived for Corsica or Andorra would be incalculable and possibly disastrous, but in no wise are they to be attributed to Rousseau, who never dreamed of any such development.

5. SEPARATION OF POWERS

Among the other particular arguments which, apart from its general philosophical tendency, have led to

[1] *e.g. Pol. Writings*, vol. II, pp. 239, 265: *Lett. Mont.*, VIII, ix.

the interpretation of the *Contrat social* as a justification of the despotic state, must be mentioned finally the belief that it is hostile to the separation of powers, a system identified, through the influence of Montesquieu, with political liberty. Although very prevalent this idea is based in fact either on a single quotation from the *Contrat social*,[1] which is not altogether relevant, or else on Rousseau's attribution to the legislative power of a right of inspection over the executive which is equally permitted in the *Esprit des Lois* itself.[2]

The passage to which reference is usually made is that in which he criticizes those who would divide the sovereign "en force et en volonté; en puissance législative et en puissance exécutive; en droit d'impôts, de justice et de guerre; en administration intérieure, et en pouvoir de traiter avec l'étranger."[3] The enumeration in itself shows that he is not thinking of Montesquieu's broad principle, since it comprises a medley of general laws and particular acts, of legislative and executive functions, which corresponds in no way to any logical analysis of the powers of the state. The danger Rousseau is anxious to ward off is primarily the destruction of the unity of the state by a multiplication of authorities, and the setting up of conflicting sovereignties, in the inevitable struggles of which the common interest will vanish.

But if we take the normal division of powers into executive, legislative and judicial, we find that Rousseau distinguishes and separates their functions clearly

[1] As *e.g.* by Mestre, *op. cit.*, p. 466.
[2] See, *op. cit.*, p. 150.
[3] *Pol. Writings*, vol. II, p. 41: *Con. soc.*, II. ii.

enough. He takes for granted the division of the magistrature between those exercising executive and judicial functions, though beyond indicating that the judicial function is to be separated from the legislative, because it is concerned with particular acts, he says little of it.[1] His comments on events in Geneva are almost the only evidence of his views on this point. He argues that to allow the people as such to act as judges in individual cases is to introduce the most flagrant abuse of the wildest democracy.[2] The citizens, he says, will then be no more citizens, but magistrates: "c'est l'anarchie d'Athènes, et tout est perdu."[3] He evidently assumes that there is to be a separate class of judges, though preferring the classical idea of choosing these for their general merit from the whole body of citizens, rather than the modern practice of recruiting them exclusively among the class of legal cxperts. But he has not been seriously challenged in connection with the independence of the judiciary; it is the relationship of the other two members of the trinity of power that constitutes the crux of the question.

We must be careful, in the first place, not to exaggerate the principles of Montesquieu, who does not himself speak of the *separation*, but of the *partage*, *division* or *distribution* of powers, and whose object is not so much to isolate as to balance them. Montesquieu leaves the separate powers absolutely independent of one another. He traces each to its own

[1] *Pol. Writings*, vol. II, p. 47: *Con. soc.*, II. v.
[2] *Corr. Gén.*, vol. XVIII, p. 103: to Coindet, February 9, 1768.
[3] *id.*, vol. XVIII, p. 114: to d'Ivernois, February 9, 1768.

particular historical antecedents, and allows them no common theoretical origin, nor does he conceive of any power in the state in which its unity is embodied and on which in the last resort all the others are dependent. While possibly a more realistic standpoint than Rousseau's, it is less satisfactory philosophically. The later writer makes a more logical analysis, and gives us, along with the underlying unity, a real separation of powers, and also a balance of political forces in the state. The fundamental unity of the state he embodies in the sovereignty of the people; the absolute separation which, unlike Montesquieu, he sets up, is that between the legislative or law-making body, and all those concerned with particular acts; finally, among the various branches of the executive he proposes a *balance* of powers in the true sense of the word, which he calls a *gouvernement mixte*; and as exemplifying this he—like Montesquieu—finds the English Constitution "un modèle de la juste balance des pouvoirs respectifs."[1] For the maintenance of the balance he has recourse to the rather far-fetched expedient of the *tribunat*, the object of which is to form a middle term between the executive government or prince and the people.[2] This institution, however, is merely a matter of governmental machinery, of no theoretic importance. The point to be stressed is that the separation between the executive government and the sovereign is an essential part of the political system set up in the *Contrat social*, and that the government

[1] *Pol. Writings*, vol. II, p. 266: *Lett. Mont.*, IX.
[2] *id.*, vol. II, p. 118: *Con. soc.*, IV. v.

is for its author not the sovereign authority, but merely "un corps intermédiaire établi entre les sujets et le souverain pour leur mutuelle correspondence."[1]

It may seem that we are labouring this unnecessarily, but there is no point in Rousseau's theory which has been so widely misrepresented. Only a complete failure to grasp his basic political principles can explain, for instance, the view that they found their practical embodiment in the Jacobin constitution of 1793. This constitution is often said to exhibit the influence of Rousseau, on the grounds that it established direct government by the people. A rapid examination will show, however, that it permitted the participation of the people in the task of legislation only in a very attenuated form. Only if those opposed to a law could obtain the support of one-tenth of the primary assemblies in a majority of the *départements* within forty days of the passing of the law, did it have to be referred to a direct vote of the people. As, moreover, the constitution remained a dead letter and was never put into practice, any discussion of its evil results must necessarily remain rather hypothetical.

A more serious argument is presented by M. Barthélemy, who describes the year 1793 as marking the triumph of the *Contrat social*, with the enfeeblement of the notion of individual rights resulting from the omnipotence of the Convention and the preponderance of the legislative power in the Jacobin constitution.[2]

[1] *Pol. Writings*, vol. II, p. 65; vol. II, p. 201.

[2] J.-Barthélemy, *Le rôle du pouvoir exécutif dans les républiques modernes*, 1906, p. 39.

But this author, who admits that the constitution was "the work of temporarily exasperated passions" rather than of political reasoning,[1] himself supplies the answer when he says elsewhere that the principle of unity of action appears in the Convention as an almost unchallenged dogma.[2] It is generally agreed that the method by which the Jacobins achieved the unity of direction which France certainly needed, and in fact the essence of their system of government, was the total confusion of the executive with the legislative. Now if by the legislative power we understand the sovereign in Rousseau's sense, we are referring to a body which by definition he allows no share whatsoever in the executive government. According to his theory the legislative power can pass no law unless it be of universal application in the state, and as the government, or executive, is necessarily perpetually concerned with particular acts and decisions, it is by that very fact incapable of possessing rightful sovereign authority. If on the other hand we fall back on a strict reading of Rousseau, we must remember that no representative assembly can be sovereign, for the sovereign cannot be represented. Thus neither the Jacobin executive nor the legislative taken separately, still less united, can according to Rousseau be endowed with the slightest shred of rightful sovereignty.

Incidentally we may deal here with an interpretation of the early Revolutionary constitutions which, not unjustly, attributes their failure in part to an undue suspicion of the executive, and explains this by the

[1] J.-Barthélemy, *op. cit.*, p. 514. [2] *id.*, p. 507.

influence of the theory of the separation of powers. This explanation, which though primarily directed against Montesquieu also touches Rousseau, is patently fallacious, because in fact the principle of the separation or balance of powers leaves the executive completely independent in its own sphere and only binds it to act according to the laws. It is true, of course, that the relations necessary between executive and legislative were not understood in the eighteenth century. The desirability, for instance, of leaving the power of initiating legislation largely in the hands of the executive, or the wide field of discretion that has to be left to the government by even the most carefully framed laws was not appreciated. One should note, however, that in the *Lettres de la Montagne* Rousseau does not allow the *Conseil général*, the legislative body of Geneva, the right even of initiating the laws for which its approval was necessary.[1] In the same work he goes so far as to consider as particular acts, which therefore are to be left to the discretion of the executive, the forming of alliances with other states, declarations of war and treaties of peace.[2]

But indeed one could hardly expect the technique of parliamentary government to be understood at such an early date; experience alone could show what arrangements were and what were not practicable. What one might look for, and what indeed one does find in Rousseau, is a recognition of the importance of leaving to the administration its own proper field

[1] See Vaughan's comments in *Pol. Writings*, vol. II, p. 187.

[2] *Pol. Writings*, vol. II, p. 220 : *Lett. Mont.*, VII.

of action. This was seen quite clearly at the time and was an argument employed by more than one writer against the revolutionaries. "Ce qui n'est pas une probabilité, c'est la force avec laquelle Rousseau se fut opposé à ce que l'assemblée nationale se mêlât aucunement de l'administration du royaume; à ce qu'elle s'emparât même provisoirement du pouvoir executif et d'une partie du pouvoir judiciaire."[1] The hostility to the executive in the early years of the Revolution, which rapidly died down as the traditions of absolute government reasserted themselves, is not to be attributed to the influence of Rousseau or of Montesquieu. The hatred of the personal government of the Bourbons and the fear of the monarchy are by themselves an adequate explanation, and as soon as these had vanished the executive resumed its traditional role. The distinction between executive and legislative may be more difficult to draw in practice than in theory, but so far as he can Rousseau draws it in his practical conclusions as in his theoretical premises.

While Rousseau allowed the government or executive a power of particular action limited only by the law, his whole endeavour was to prevent the arrogation of the rights of sovereignty by any governing body whatsoever. He has been misunderstood because his commentators have persistently refused to believe that he meant what he said when he confined the right

[1] C.-F. Lenormant, *J.-J. Rousseau, aristocrate*, 1790, pp. 41–2. *Cf.* Utilitati, *L'Assemblée nationale convaincue d'erreur par J.-J. Rousseau*, 1792, p. 22.

of sovereignty to the assembly of the whole people. There need not be the slightest doubt concerning this, however, for he goes out of his way to prove the practicability of his principle by the examples of the ancient world, the Swiss cantons and Geneva.[1] When Bentham scornfully said that no law of any European state would constitute a valid act of sovereignty for Rousseau, except possibly those of the Republic of San Marino, he was saying no more than was true. We need not suppose that Rousseau was blind to such an obvious deduction, even if he had not himself admitted that on a close examination one would find that very few nations have laws.

When he condemned the representative system, Rousseau certainly did not fail to observe the difficulties in the way of the exercise of sovereignty by the community as a whole; and if he refused to allow its delegation to any other body it was because the fear of tyranny was greater in his mind than the desire to erect a system practicable in the great states of his day. As one commentator puts it, when Rousseau refuses to allow the General Will to be represented, in effect he says, "I do not allow to any existing institution sufficient social morality to be the interpreter of my needs and the defender of my interests; I believe it invincibly inclined to misuse in its own interests the power that I give it."[2] We may possibly think that Rousseau is unduly fearful of the "unending

[1] *Pol. Writings*, vol. II, pp. 92–3, 102–3: *Con. soc.*, III. xii, IV. i.

[2] Tchernoff, *Montesquieu et J.-J. Rousseau*, in *Revue du droit public*, 1903, vol. XIX, pp. 477–514; vol. XX, pp. 49–97, p. 506.

audacity of elected persons," but at least his caution serves to demonstrate—and this is the point with which we are concerned here—the importance he attaches to the distinction between the legislative and the executive powers.

Yet the confusion of the two is frequent in critics of Rousseau. Thus one, after quoting the passage in which he maintains that only the sovereign can be the judge of what matters concern the whole community, goes on to remark, "Ce qui rend l'administration tracassière, intolerante, tyrannique . . . ce n'est pas autre chose que l'opinion qu'elle se fait de l'utilité publique, qu'elle interprète, du reste, à sa façon,"[1]—a very just observation in itself, but one which reads *administration* where Rousseau had written *sovereign*. Another writer explains that the exercise of the legislative power by the people is according to Rousseau one of the traits of democracy, a government which he admits to be suitable only for a people of gods.[2] On the contrary, of course, according to Rousseau the exercise of the legislative power by the people is the sign of every legitimate state, whatever the form of government, and the system which he condemns as altogether impracticable for men is democracy in the strict sense of the term, the exercise not of the legislative but of the executive power by the whole people.

The misunderstanding is even more strikingly evident in a passage by Duguit, where one can see that the writer in passing from one sentence to another

[1] H. Rodet, *'Le contrat social' et les idées politiques de J.-J. Rousseau*, 1909, pp. 96–7.

[2] Tchernoff, *op. cit.*, p. 501.

unconsciously substitutes the term government for sovereignty, and thus entirely falsifies the theory of Rousseau. "La constitution de 1793, sans le dire expressément," he says, "avait écarté l'idée de la représentation; ses auteurs, s'inspirant surtout de J.-J. Rousseau, étaient dominés par l'idée que la souveraineté ne peut pas plus être representée qu'elle ne peut être alienée. À cause de cela, ils avaient fait une large part au gouvernement direct."[1] Leaving on one side the historical fact that the government of the Jacobins was much nearer to dictatorship than to the direct government of the people, it is only necessary to remind ourselves that Rousseau anyhow specifically rules out direct government, which in his, as in classical terminology, is the interpretation of democracy. "Vous avez pu voir," he write to d'Ivernois, "dans le *Contrat social* que je n'ai jamais approuvé le gouvernement Démocratique."[2] It is true, he admits, that by putting the executive power as well as the legislative in the hands of the people, democracy averts the creation of a separate *volonté de corps* attached to the government, but also it calls, he thinks, for superhuman virtues. It is for this reason, he believes, that no true democracy has ever existed or ever will exist. It is a form of government fit for gods, not for men,[3] for whom, indeed, the system in which the wills of the government and of the legislative are most distinct —elective aristocracy is the best.[4]

[1] L. Duguit, *Traité de Droit Constitutionnel*, 2nd ed., 1923, vol. II, p. 18.
[2] *Corr. Gén.*, vol. XVI, p. 229: to d'Ivernois, January 31, 1767.
[3] *Pol. Writings*, vol. II, p. 74: *Con. soc.*, III. iv.
[4] *id.*, vol. II, p. 75: *Con. soc.*, III, v; *cf. id.*, vol. II, p. 202.

It may be urged, in opposition to our view, that Rousseau in the *Lettres de la Montagne* allows the sovereign a right of general superintendence over the executive. He says that once every twenty years or so the sovereign must meet to consider both the constitution and the way in which it has been observed by the government, from which it has been concluded that he abandons Montesquieu's theory of the separation of powers. If this were so it would certainly put an additional emphasis on the despotic element in his thought. M. Barthélemy,[1] who deals with this specific point, has himself shown, however, that Rousseau is here merely following Montesquieu, when he claims that in a free state the legislative power should have the right of examining the way in which the laws it has passed are executed.[2] But as for the actual government, Rousseau always insists that it must be in the hands of the magistrates alone, and that these must be free from any interference by the legislative power.[3] Though the people have the right of sovereignty, they are not competent according to him to control the details of government, the constitution and the conduct of which he leaves to the executive, as matters of convenience, to be settled according to the circumstances of the state.[4]

While he thus allows the sovereign a certain strictly

[1] Barthélemy, *op. cit.*, pp. 420–22.

[2] *Esprit des Lois*, bk. XI, ch. VI. "Elle (the legislative power) a droit et doit avoir la faculté d'examiner de quelle manière les loix qu'elle a faites ont été exécutées." He adds that ministers who have not kept the laws may be sought out and punished.

[3] *Pol. Writings*, vol. I, p. 128 : *Disc. inég.*

[4] *id.*, vol. II, p. 186.

limited right of supervision over the executive, the latter is allowed no corresponding rights in return.' If there is one idea to be found running through all Rousseau's political writings it is this, that the sovereign makes the law and that it is the mark of all legitimate government to be under the law. To give only two of many quotations we might make to illustrate this principle, in the *Lettres de la Montagne* he declares, "Un peuple est libre, quelque forme qu'ait son Gouvernement, quand, dans celui qui le gouverne, il ne voit point l'homme, mais l'organe de la Loi."[1] This he holds true whether the state be monarchy or democracy: "La puissance exécutive n'est que la force; et où règne la seule force, l'État est dissous. Voilà, monsieur, comment périssent à la fin tous les États démocratiques."[2] We may remind ourselves that the principle of the *ancien régime* was precisely the reverse of Rousseau's, for its authority was always personal and based in the last resort on the absolute will of the king.

[1] *Pol. Writings*, vol. II, p. 235: *Lett. Mont.*, VIII; *cf. id.*, vol. I, pp. 126, 245; vol. II, pp. 426–7.

[2] *id.*, vol. II, p. 209: *Lett. Mont.*, VII.

CHAPTER V

THE IDEA OF THE GENERAL WILL

I. NATURAL RIGHTS AND POLITICAL LIBERTY

It is time to leave questions of detail and come to arguments that bear on the essential purpose of the *Contrat social*. Whatever may be the effect of one or all of the separate considerations which have been discussed in the last chapter, our interpretation of the fundamental tendencies of Rousseau's thought will depend not on these but on our analysis of the great basic ideas which constitute its solid ground plan and give their peculiar inclination and thrust to every detail of the superstructure. Various principles,—such as the idea of the contract, the return to the state of nature, or the assertion of individual rights,—have been taken at different times as the motive force of his political thinking; but little excuse is needed to-day for the assumption that the idea of the General Will is the central doctrine of his political system, and that which embodies his particular contribution to the modern political intelligence. The question we are presented with is the bearing of this principle on the general theory of the state. Now while the intentions of a writer are not always embodied in his accomplished work, at any rate they afford evidence that cannot be neglected of his personal bias, and in this connection due weight is not always allowed to the fact that the central idea of the *Contrat social*, the

General Will, represents an attempt to put into political terms the philosophical concept of freedom in society, an attempt perhaps doomed to failure, but one entirely bound up with the idea of self-government and opposed to that of despotism.

The criticism will at once be made that this is exactly the contrary of Rousseau's usual explanation of the origin of political society. While at an early date we find him writing that governments have not commenced by arbitrary power, which represents, on the contrary, the final stage in their corruption, and which brings them to that rule of pure force for which they were in the beginning the remedy,[1] more often his description of the formation of political society seems to imply a total abnegation of individual liberty. He describes, for instance, as the best institutions those "qui savent le mieux dénaturer l'homme, lui ôter son existence absolue pour lui en donner une relative, et transporter le *moi* dans l'unité commune."[2] Thus it is the function of the Legislator on whom is bestowed the task of creating a people to transform the free and self-dependent individual into a fragment of the social unity, from which henceforth he is to receive his moral being,—and thus, in Rousseau's own words, to mutilate his constitution as an individual.[3]

At first sight these and similar statements seem almost irreconcilable with any genuine conception of individual liberty, but the last observation should put

[1] *Pol. Writings*, vol. I, p. 187: *Disc. inég.*

[2] *id.*, vol. II, p. 145: *Émile*, I.

[3] *id.*, vol. I, p. 324: *Fragment*; *cf. id.*, vol. II, pp. 51–2; *Con. soc.*, II. vii.

us on the right track. The misunderstanding arises from forgetting certain assumptions with which Rousseau's political thinking commences. His argument starts from the traditional theory of natural man and natural rights, ideas to which he clings although he has abandoned the associated idea of natural law. The liberty this theory leads him to attribute to natural man is so boundless, so absolute, that nothing but a complete change in psychological constitution can produce a capacity for political life. This is what Rousseau means when he places political life and liberty in opposition to one another, when he says that independence and natural liberty have given place to laws and slavery and that freedom no longer exists for men.[1]

The change that Rousseau here effects in the theory of Locke is not so much in his view of political society as in his theory of the state of nature, and this is itself the result of abandoning the idea of natural law, emancipated from which natural society is inevitably reduced to a state of completely anarchic individual freedom. The problem Rousseau is faced with is thus quite different from that of Locke, who had merely to provide a judge and a sanction for an already acknowledged law: his problem is to substitute a political system for total anarchy, to create out of illegality the rule of law, and at the same time preserve the principle of liberty. In a sense this problem is insoluble. As he admits, natural rights and therefore natural liberty cannot continue to exist after the formation of political

[1] *Pol. Writings*, vol. I, p. 296: *L'état de guerre.*

society. Yet they are not entirely abrogated but are rather held in abeyance. Every man on coming of age has, according to Rousseau, the right of choosing between acceptance of the social contract and his natural liberty;[1] if he prefers the latter then he has to leave the community in which the contract is established.[2] Moreover if the contract is broken then each individual re-enters into his original rights and recovers his natural liberty.[3]

One cannot pretend, however, that such ideas are as important for Rousseau as they were for Locke, to whom the common criticism of the natural rights theory is much more appropriate. Granted that as a result of this theory Rousseau is led to a plainly artificial version of the foundation of society by a social compact, the object of the latter is merely to cancel out the former. Once the state has been founded natural rights cease to function: there is no room for a Declaration of the Rights of Man in Rousseau's state. "A right against society," says Green, "in distinction from a right to be treated as a member of society, is a contradiction in terms."[4] Rousseau would not express himself differently. The lawless conditions

[1] It has been pointed out that the idea that all citizens should take an oath to the constitution on reaching adult status goes back to the medieval free cities, where it was sometimes the actual practice.

[2] Such is his advice to d'Ivernois,—"C'est d'en sortir tous, tous ensemble, en plein jour, vos femmes et vos enfants au milieu de vous, et puis qu'il faut porter des fers, d'aller porter du moins ceux de quelque Grand Prince, et non pas l'insupportable et odieux joug de vos égaux." (*Corr. Gén.*, vol. XVIII, p. 83: January 29, 1768.)

[3] *Pol. Writings*, vol. II, pp. 32–3: *Con. soc.*, I. vi.

[4] T. H. Green, *Principles of Political Obligation*, § 99; *Works*, 1885 (6th impr., 1911), vol. II, p. 416.

of life in the state of nature he is reluctant in the end even to describe by the word liberty: the term comes to acquire a new meaning for him, that of a life lived under the law. "On a beau vouloir confondre l'indépendance et la liberté. Ces deux choses sont si différentes que même elles s'excluent mutuellement. Quand chacun fait ce qu'il lui plaît, on fait souvent ce qui déplaît à d'autres; et cela ne s'appelle pas un état libre. . . . Dans la liberté commune, nul n'a droit de faire ce que la liberté d'un autre lui intérdit; et la vraie liberté n'est jamais destructive d'elle-même. La liberté sans la justice est une véritable contradiction."[1]

It is to the law alone, he says on another occasion, that men owe justice and liberty; it is the law which re-establishes natural equality among them, and which dictates to each citizen, "les préceptes de la raison publique, et lui apprend à agir selon les maximes de son propre jugement, et à n'être pas en contradiction avec lui-même."[2] This is the reason why in the *Contrat social*, so often taken as the very gospel of *étatisme*, is to be found a paean to the cause of liberty which on any such interpretation of the work is quite inexplicable. "Renoncer à sa liberté," he writes, "c'est renoncer à sa qualité d'homme, aux droits d'humanité, même à ses devoirs. . . . Une telle renonciation est incompatible avec la nature de l'homme; et c'est ôter toute moralité à ses actions que d'ôter toute liberté à sa volonte."[3] So little, in this respect, had he moved from the standpoint of the *Discours sur l'inégalité*

[1] *Pol. Writings*, vol. II, pp. 234–5: *Lett. Mont.*, VIII.
[2] *id.*, vol. I, p. 245: *Écon. pol.* [3] *id.*, vol. II, p. 28: *Con. soc.*, I. iv.

where almost in the same terms he had written that liberty was the noblest faculty of man, and that to renounce the most precious of all his gifts would be to degrade his own nature, to put himself on a level with the beasts, enslaved to their instincts, and to commit a crime against the very author of his being.[1]

Rousseau's chief object is to discover some means by which, in return for sacrificing the absolute independence, the freedom from all but physical needs of the state of nature, the individual shall gain in political society the capacity for moral liberty, and this he finds in the *Contrat social*. "Ce passage de l'état de nature à l'état civil produit dans l'homme un changement très remarquable, en substituant dans sa conduite la justice à l'instinct, en donnant à ses actions la moralité qui leur manquait auparavant. . . . Son âme toute entière s'élève à tel point que, si les abus de cette nouvelle condition ne le dégradaient souvent au-dessous de celle dont il est sorti, il devrait bénir sans cesse l'instant heureux qui l'en arracha pour jamais, et qui, d'un animal stupide et borné, fit un être intelligent et un homme."[2]

With Rousseau politics, as a quotation such as the last shows, is but a branch of morals: its object is to develop the individual as a moral being and to enable him to live a good life. Vaughan describes the *Discours sur l'inégalité* as the work of a moralist rather than a political theorist, but indeed the two roles are hardly to be distinguished in Rousseau. His employment of

[1] *Pol. Writings*, vol. I, p. 186: *Disc. inég.*
[2] *id.*, vol. II, p. 36: *Con. soc.*, I. viii.

the contractual theory has been presented in terms of a moral history of humanity. "Sans le contrat, l'histoire humaine n'est que le récit d'une longue déchéance, et le pessimisme triomphe. Mais le contrat est l'instrument du salut de l'humanité. C'est parce qu'il peut être conçu qu'il est ordonné de croire à la bonté originelle et positive de la nature humaine. C'est par lui que la justice naît et que la moralité devient accessible à l'homme."[1] In other words, adds the same critic, Rousseau's contractual theory is but a transposition into historical experience of the traditional religious theory of the Fall and the Salvation.

In this rather touching faith in the power of laws and institutions to create moral freedom and virtue Rousseau is typical of his age. More typical of his own inner feelings are his occasional hesitations, as when he denies his own principles in the *Émile* and breaks out with, "La liberté n'est dans aucune forme de gouvernement, elle est dans le cœur de l'homme libre, il la porte partout avec lui."[2] Or, as he writes to d'Ivernois, "Il n'y a plus de liberté sur la terre que dans le cœur de l'homme juste."[3] There is a man in Rousseau, the author of parts of the Second Discourse and the prophet of the romantics, who cannot but regret the loss of absolute personal independence, but as a political theorist and a moralist he realizes its inevitability. A conflict exists in his mind, as Vaughan has said, between his consciousness that society is the necessary medium of man's full realization of himself

[1] Hubert, *op. cit.*, p. 133. [2] *Œuvres*, vol. V, p. 433: *Émile*, V
[3] *Corr. Gén.*, vol. XVIII, p. 82: to d'Ivernois, January 29, 1768.

as a moral being, and his own hatred of social obligations, his almost pathological craving for complete personal independence. Even so we must not exaggerate his devotion to liberty, which was indeed of almost too negative a kind. "Je n'ai jamais cru," he wrote, "que la liberté de l'homme consistât à faire ce qu'il veut, mais bien à ne jamais faire ce qu'il ne veut pas."[1] There is no need to represent his mental conflict as a struggle between extreme individualism and *étatisme*, between the democratic and the despotic political principles. Neither the one nor the other is involved in what is essentially a matter of individual psychology, which represents the conflict between an ideal conception of liberty in society and a practical inability to find such liberty in the society he was called on to inhabit.

If, to conclude this discussion, we admit that the object of Rousseau's political theory is to discover a means of maintaining the liberty of the individual while accepting the necessity of political society, the way in which he proposes to achieve this reconciliation of government with liberty, through the principle of the General Will, has next to be examined.

2. THE SOVEREIGNTY OF THE GENERAL WILL

The association of the theory of the General Will with the idea of liberty in the state has not in the past been usual, except indeed among its own adherents; and when writers such as Hegel or even Bosanquet talk of liberty one cannot but feel that its connotation

[1] *Confessions, etc.*, vol. III, p. 230: *Promeneur solitaire*, VII.

is somewhat different from that which the word possesses in common usage. Yet we have to agree that the Idealist political philosophy of the nineteenth century can be traced back to Rousseau. Should we not then link him with those who undoubtedly drew their initial inspiration from him? But if his theory is to be classed as idealist, at most it can only be in embryo. If there were no alternative to the individualism of Locke other than Hegelian idealism the choice would indeed be difficult; happily these two extremes do not exhaust the possibilities of political theory. Rousseau is in the line of descent that leads from Locke to Hegel, but *post hoc propter hoc* is as fallacious an argument in the history of political thought as in every other branch of history. Therefore we propose to ignore the fate of the theory of the General Will in other hands, and to study it simply as Rousseau presents it to us.

The most common form of criticism—that the theory sets up an unrestricted and therefore tyrannical power—is applicable equally to every other theory of sovereignty. Every state, says Rousseau, requires a sovereign, and he adds, "Il est de l'essence de la puissance souveraine de ne pouvoir être limitée: elle peut tout, ou elle n'est rien."[1] However extreme this may sound, all it means is that in every state there must be a law-making power, and that the power which makes the law must logically be above the law, in other words must be sovereign. Moreover, though Rousseau permits no other social force to challenge

[1] *Pol. Writings*, vol. II, p. 219: *Lett. Mont.*, VII.

the sovereign, he hardly does himself justice in describing it as an unlimited power, for in fact it is limited most effectively by the terms of its own definition. The validity of the criticism directed against Rousseau's, as against any other theory of sovereignty, depends on the way in which it is interpreted, and it must be recognized that here his theory has features peculiar to itself.

It is usually pointed out that there is one essential difference between Rousseau's conception of sovereignty and that of practically all earlier writers. When the theory of the divine institution of government became discredited its place was taken by the contractual theory, according to which society itself appointed its ruler on certain conditions, these being embodied in the social compact. If the prince broke these terms he automatically forfeited his title and his powers reverted to the community, in the possession of which ultimately the sovereign power resided. Sovereignty was hence kept in reserve and only called into action on rare occasions: nor must we underestimate the value of this fact as a safeguard. There are two contracts implied in Locke's theory, the one between all the individuals who agree to forsake the state of nature and form a political society, the second between the members of this society and the government or prince they set up. It is usual to contrast with this theory that of Rousseau, in which there is only one contract, that forming the political society, which in itself constitutes the sovereign, and in the inalienable possession of which remain the rights of sove-

reignty.[1] Thus while for Locke the sovereignty of the people is only operative in the last resort, for Rousseau the sovereign people is the actual legislative authority of the community. The difference is diminished by the fact that Rousseau expects his legislative power to function but very occasionally, but it still remains very great.

The originality of Rousseau's theory lies in the fact that for him the social contract sinks into a place of secondary importance. It is introduced for the purpose of explaining in orthodox fashion the origin of political society, but what is really of significance is to be found in the developments that follow. So little essential is the contractual theory to his thought that in the *Économie politique*, which may be taken as the first draft of the ideas destined to be elaborated in the *Contrat social*, it plays no part at all. In this work it is not the contract but the General Will which is recognized as the "premier principe de *l'économie* publique et règle fondamentale du Gouvernement."[2] And even in his more famous treatise his true interest is not the contract, which is rapidly passed over, but the General Will, in the existence of which he finds the essential characteristic of the state.

The result of this diversion of interest from the social contract to the General Will is the attribution of will, and therefore of moral personality, to the state, which is thus brought into the realm of moral law. But whereas individual wills may be good or bad, the

[1] *cf.* Green, *op. cit.*, § 64; *Works*, vol. II, p. 386.
[2] *Pol. Writings*, vol. I, p. 244: *Écon. pol.*

peculiarity of the General Will is that by definition it cannot be other than good. We are introduced here to an argument that is frequently misinterpreted. The effect of Rousseau's definition of the General Will, it is alleged, is to set up the doctrine that the state can do no wrong, and to justify every act performed in its name. Such a charge, though plausible in relation to certain of his successors, is not tenable where Rousseau is concerned. He was too little acquainted with the ideas governing practical politics to be able to believe that what would be a crime when committed by an individual becomes other when committed by the authorities of the state. The whole constituted authorities and every individual member of the state may be agreed on a certain line of action, but he will not accept it as a valid expression of the General Will unless it fulfils the conditions he has laid down, unless, that is, it is general not only in origin but also in scope, and unless it is inspired by the general and permanent interests of the community. It is not, he specifies, the number of voices that generalizes the will, but the common interest uniting them.[1]

We may ask, may not the community have immoral interests? Rousseau would reply that if it had it would be denying the very object for which it is called into existence, to make possible the good life for its citizens, and stultifying itself. Thus the state is sovereign for him only so far as it is the embodiment of social justice, and the extent to which the sovereignty of the General Will can be predicated of any particular state

[1] *Pol. Writings*, vol. II, p. 45: *Con. soc.*, II. iv.

depends on the degree of closeness with which it approximates to this ideal. This is the truth behind the accusation of Faguet that the *Contrat social* is the last of the theologico-political works of the Calvinists, and therefore naturally authoritarian.[1] We would rather say that the effect is certainly to enlarge the authority of the state, but only by allying politics once more with ethics, and so making the state something more than a mere collection of individuals under one government.

A second characteristic of Rousseau's conception of sovereignty which is often criticized is that it is inalienable and indivisible. Is the latter quality reconcilable, it will be asked, with the principle of the separation of powers? It certainly is for Rousseau, because the 'powers' the separation of which he acknowledges to be necessary, are not component parts of the sovereign but emanations from it, and to maintain and balance these rival powers a supreme authority is, he thinks, necessary.[2] If one were to allow the possibility of division in the sovereign the result would be hopeless anarchy. But even apart from this consideration we must confess that Rousseau's claim seems to us little more than a rather elaborate way of expressing the simple fact that two contrary and opposed wills cannot each represent what is best for the community. Although we may not always be able to ascertain which is ideally the best course of action for a community in any given circumstances, that

[1] Faguet, *La politique comparée, etc.*, p. 17.
[2] *Pol. Writings*, vol. II, p. 41: *Con. soc.*, II. ii.

alone is entitled to claim the sovereignty of the General Will.

Even understood in this sense, however, the attribution to an inalienable, indivisible will of the unlimited rights of sovereignty produces a force in which the attributes of the most despotic power seem to be united. Rousseau is not concerned to moderate the appearance of his doctrine. The General Will must be supreme in the state and whoever refuses to obey its dictates "y sera contraint par tout le Corps".[1] Incidentally, it should be pointed out, as the phrase is sometimes misread, that by *tout le Corps* Rousseau refers to the whole social body, and not to the physical sanctions the offender may be called on to suffer.

But the practical application of these doctrines is less drastic than is often supposed, for the volitions of the General Will are expressed only through the laws. In practice, we may ask, is Rousseau claiming any more than that in every state the individual members of the body politic should be compelled by the physical powers of the whole society to obey the laws rightfully established? If this idea is a mere platitude to-day, it none the less needed emphasizing in eighteenth-century France, when exceptions to the law were almost the rule, and when privileged classes or individuals could break the law practically with impunity. Murderers, thieves, forgers, experience the sanctions of the law in every community. So also do those who infringe any of the innumerable petty economic and social regulations which the complexi-

[1] *Pol. Writings*, vol. II, p. 36: *Con. soc.*, I. vii.

ties of modern industrial civilization have rendered necessary. The only method by which such compulsion can be really justified, or reconciled with any adequate idea of the extension of individual liberty, is by some such theory as that of the General Will. In essence, we might claim, Rousseau's theory is no more than an attempt to solve the problem to which eighteenth-century utilitarianism had found no satisfactory solution, that of reconciling in theory the rightful claims of the individual with those of the community.

Theoretically, then, the sovereignty of the General Will represents an attempt to justify philosophically the rule of law. Its effect on liberty in the state will depend on the way in which the general principle is elaborated. The most important distinction which it is necessary to make before we can attempt a further revaluation of Rousseau's theory of sovereignty has been described so authoritatively by Green that we cannot do better than quote him. "The sovereignty of which Rousseau discusses the origin and attributes, is something essentially different from the supreme coercive power which previous writers on the *jus civile* had in view. A contemporary of Hobbes had said that

> There's on earth a yet auguster thing,
> Veiled though it be, than Parliament or King.

It is to this 'auguster thing,' not to such supreme power as English lawyers held to be vested in 'Parliament and King,' that Rousseau's account of the sovereign is really applicable. What he says of it is what Plato or Aristotle might have said of the θεῖος

νοῦς, which is the source of the laws and discipline of the ideal polity, and what a follower of Kant might say of the 'pure practical reason,' which renders the individual obedient to a law of which he regards himself, in virtue of his reason, as the author, and causes him to treat humanity equally in the person of others and in his own always as an end, never merely as a means."[1]

Green gives equally forcefully, though not quite so justly, the most often repeated criticism against this theory of sovereignty. "The practical result is a vague exaltation of the prerogatives of the sovereign people, without any corresponding limitations of the conditions under which an act is to be deemed that of the sovereign people. . . . And as the will of the people in any other sense than the measure of what the people will tolerate is really unascertainable in the great nations of Europe, the way is prepared for the sophistries of modern political management, for manipulating electoral bodies, for influencing elected bodies, and procuring plebiscites."[2] In our view this indictment bears rather on a possible misinterpretation of Rousseau than on what he himself actually maintained. In fact the three points singled out by Green for criticism,—the absence of limitation on the action of the General Will, the difficulty of ascertaining the General Will in large states, and the corruptness of politics in these,—are all expressly denounced by Rousseau himself. Nevertheless Green's analysis is

[1] Green, *op. cit.*, § 68 ; *Works*, vol. II, p. 388.
[2] *id.*, § 69 ; *Works*, vol. II, pp. 388–9.

worth quoting, because it puts in a moderate and rational manner a form of criticism frequently expressed in more exaggerated terms.

The most usual criticism is however less subtle. It is often assumed that the sovereignty of the General Will means the sovereignty of the people, which in turn is equivalent to the tyranny of the majority. To quote only one of many illustrations we could give, one writer defines Rousseau's theory as, "la tyrannie de État, c'est-à-dire dans sa doctrine, de la majorité des citoyens contre la minorité des citoyens."[1] Without unduly stressing the arguments on the other side, one cannot but feel that this very common criticism is singularly misplaced. It is true that in the *Contrat social* Rousseau allows that when the political society was formed its members agreed to submit themselves to the will of the majority, that henceforth the voice of the greatest number must overrule the opinions of the rest;[2] and that he allows, for instance, taxation to be determined by majority vote. Nevertheless there is a difference between agreeing in a democratic society to abide by the verdict of the majority, and attributing to that verdict the whole sovereignty of the state. According to Rousseau the claim to rightful sovereignty is necessarily determined by the nature of the particular majority will, which can only be sovereign if it possesses all the attributes which we have seen to be necessary by definition to the General Will.[3]

[1] A. Dide, *J.-J. Rousseau, le protestantisme et la Révolution française*, p. 165.

[2] *Pol. Writings*, vol. II, p. 105: *Con. soc.*, IV. ii.

[3] *id.*, vol. II, p. 106: *Con. soc.* IV. ii.

Far from being open to the charge of identifying the will of the sovereign with that of the majority, one might almost claim that Rousseau is one of the few modern authors whose theory of government is immune from it. He even admits the possibility that the General Will may be embodied not merely in the will of a minority but in that of a single man, the Legislator,—though this last only seems possible to him in the initial phase of the life of the state. In this we have a rare acknowledgement of the permissibility of individual initiative, at any rate in the creative period. When the laws appropriate to the circumstances of the state have been enunciated by the Legislator Rousseau seems to assume that the state, if it be in a healthy condition and destined to flourish, will recognize them as such and accept them as the expression of its true General Will. Here he strays far from the nineteenth-century idea of democratic government; and it is not Rousseau but Locke, who without question gives the right of law making to the majority and only limits it by demanding that the forms of the constitution be observed. Again, practically all other supporters of the theory of the sovereignty of the people accept the representative system and thus pass on to a mere majority not of the people, but of an assembly, the whole of the immense right of sovereignty.

Rousseau is indeed more successful in coping with the theoretical problem that he set himself than Green allows. The self-contradiction supposed in his theory is non-existent. Green argues, "Upon the theory of the foundation of legitimate sovereignty in consent,

the theory that the natural right of the individual is violated unless he is himself a joint imponent of the law which he is called to obey, it is not easy to see what rightful claim there can be to the submission of a minority."[1] But, as we must repeat, the majority is only sovereign if its will is also the General Will,—in which are embodied the interests of the society as a whole. For it is important to bear in mind that Rousseau closely associates will and interests. He does not allow that any individual or community can have a *real* will which is fundamentally opposed to their real and permanent interests. This is an essential step in his argument and it is regrettable that he does not emphasize or specifically justify it: he simply takes it for granted. Now there can be no minority interest hostile to the General Will, for the interest of the whole society as Rousseau conceives it necessarily includes that of all its members,—unless, indeed, there be a section of the community the interests of which are ultimately incompatible with the interests of the rest: and as Rousseau insists on unanimity in the original contract he has done his best automatically to exclude this possibility, rightly refusing to attempt to solve an insoluble problem.

When we pass from pure theory to practical questions, of course, difficulties at once arise. To say that the General Will embodies the interests of the community as a whole does not take us very far in practice. It is as well to confess at once that Rousseau's definition is rather intangible. If we demand a more positive

[1] Green, *op. cit.*, § 75; *Works*, vol. II, p. 394.

description we are put off with the statement that the General Will embodies the will of the people, that it is, in Rousseau's own words, "l'organe sacré de la volonté d'un peuple." Given the qualifications with which he surrounds his idea of the General Will, this is meaningless verbiage; nevertheless, taken quite literally, the definition became the favourite one of democrats during the subsequent century. It was only to be expected that practical politicians should seize on the one definite concrete point in Rousseau's system that they could understand and neglect the qualifications, though the latter are in truth the essence of the doctrine.

To sum up, we have already agreed that the General Will, being indivisible and inalienable, is therefore incapable of being represented or of being attributed, along with the power of sovereignty, to any governing body as such. It is also a will that is always in the interests of the society as a whole and that cannot err. As has been observed, for other political theorists also the sovereign is incapable of error; but whereas for them this quality of the sovereign will arises from the very fact of its existence, for Rousseau the existence of the sovereign itself depends on the quality of its will. It follows from all these considerations that there are necessarily many states without a General Will, that is, without a rightful sovereign. Green, indeed, says that hardly any state can be legitimate on Rousseau's principles, but that depends on the sense in which one understands the term. Rousseau, as we have said elsewhere, does not in practice question the

legitimacy of any established authority. It has been said of him that he wished to make even monarchy accepted, though he only succeeded in making the Republic loved. On the other hand, it is true that most governments being founded on tyranny and corruption few or none were legitimate from the point of view of the ideal state,—and one must always remember that this was Rousseau's point of view in the *Contrat social.*

The General Will may be endowed by Rousseau with limitless sovereignty, but its existence as he understood it, and therefore the legitimate exercise of sovereignty, demands not only a tiny state in which all the people may express their will without the intervention of a representative system, and a constitution which puts the legislative power in the hands of the people, but also a permanent desire on their part to pursue only the common good, together with sufficient enlightenment to know how to put the desire into practice. We may be in the land of Utopias: we are certainly a long way from that absolutism of the state which became the popular interpretation of Rousseau.

3. THE DEMOCRATIC STATE

We are in a position now to discuss the effect of Rousseau's theory of the General Will on the relationship of the state and the individual. It has already been remarked that Rousseau nowhere suggests subordinating the individual to the state as the eighteenth century knew it. At no time did he withdraw or con-

tradict the violent attack on contemporary society and states that he had made in the *Discours sur l'inégalité*. In existing conditions his prescription for the individual who wishes to live a virtuous life is to withdraw from the company of his fellows, to leave a corrupt society to its fate and to fall back on the inner resources of his own nature, in which he will find reflected the essential goodness of original Nature, uncorrupted by a degenerate race of men. Such is the source of the individualism of the second *Discours* and the *Émile*.

But corruption is not a necessary condition of human society. Rousseau is not pessimistic enough to blame the innate constitution of human nature for the evil he sees around him: he attributes it rather to the selfishness of those classes who found it to their interest to raise and maintain corrupt institutions. It follows from his way of looking at the situation that if bad institutions could corrupt those who lived under them, for the mass of men, who could not—as could Émile or the *Promeneur solitaire*—escape from the evil influences of society by isolating themselves, the only means of achieving virtue was with the aid of new and better social and political institutions. "J'avais vu," he wrote, "que tout tenait radicalement à la politique, et que, de quelque façon qu'on s'y prît, aucun peuple ne serait que ce que la nature de son gouvernement le ferait être."[1] Consequently, in the reform of the individual, virtue, although the very stuff of uncorrupted human nature, has to be re-created by the action of political institutions. It follows

[1] *Confessions, etc.*, vol. II, p. 241: bk. IX.

logically that in so far as this is necessary the state precedes the individual. To sum up, according to Rousseau's way of looking at the question, the isolated individual in the state of nature is virtuous, society brings corruption, from which, since there is no returning to the state of nature, the only escape lies through the action of political institutions, definitely planned to create anew an environment in which virtue becomes possible.

But what is the state of virtue? In Rousseau's sense we may define it as the absence of moral conflict between the desires of the individual, or what he needs to render him happy, and the laws imposed on him by his environment. In order to achieve it he has to enfranchise himself from his passions and selfish interests and harmonize his particular will with the will of society. We are thus brought again to the General Will, for this harmony is only possible if the will of society is such that the individual can identify himself with it without sacrificing his moral liberty. The will of society, in other words, can be no other than the sum of what would be the wills of all its individual members if they were in a state of virtue, or, to use Rousseau's terminology, it must be the General Will. To the state, thus, in so far as its will is the General Will, is attributed an ethical function in the life of the individual, and the result is to create a bond between the state, or society, and the individual far stronger than the mere utilitarian connection.

One cannot doubt that as his political ideas matured Rousseau came to hold a positive conception of the

nature of the state, which in comparison with the ideas of the time seemed to and did in fact make the individual much more one with his state. It might be argued, especially by those for whom the state is in itself a thing of evil, that the effect of this is to restrict the liberty of the individual. Such a sympathetic critic of Rousseau as Vaughan goes even farther: he declares that in the end Rousseau reduces the individual to a cypher in the state, and sums up the *Contrat social* as "the porch to a collectivism as absolute as the mind of man has ever conceived."[1] It is not fair to take this for granted, however; the effect on political liberty of a closer connection between the individual and the state can be judged only after a detailed examination of the nature of that connection.

A favourite argument of those who in the nineteenth century tried to subject the individual entirely to the state was the parallel with an organic body, and upholders of the organic theory of society have looked back to Rousseau, as to Burke, for support. In so far as these two thinkers played the largest part in overthrowing the influence on political thought of the abstract individualism of the school of Locke, it is possible to regard them in such a light. But this should not prevent us from recognizing the fact that Rousseau, as well as Burke, expressly repudiates the analogy between the state and an animal organism.[2] At first sight he does not appear consistent in his observations

[1] *Pol. Writings*, vol. I, p. 39; *cf. id.*, vol. I, pp. 56, 59.

[2] *cf.* A. Cobban, *Edmund Burke and the Revolt against the Eighteenth Century*, 1929, pp. 89–91.

in this connection, and a passage of the *Économie politique* certainly utilizes the analogy between the state and the human body.[1]

But we must remark that any attempt to interpret the parallel as more than a useful analogy is specifically ruled out in the *Contrat social.* "Les hommes," he says there, "ne peuvent engendrer de nouvelles forces, mais seulement unir et diriger celles qui existent."[2] There can be no other meaning attached to this sentence, "Mais, outre la personne publique, nous avons à considérer les personnes privées qui la composent, et dont la vie et la liberté sont naturellement indépendentes d'elle."[3] Again, he says, "La constitution de l'homme est l'ouvage de la nature; celle de l'État est l'ouvrage de l'art."[4] Finally, to put an end to these citations, the *État de guerre* excludes the organic theory in so many words, "La différence de l'art humain à l'ouvrage de la nature se fait sentir dans ses effets. Les citoyens ont beau s'appeler membres de l'État, ils ne sauraient s'unir à lui comme de vrais membres le sont au corps; il est impossible de faire que chacun d'eux n'ait pas une existence individuelle et séparée, par laquelle il peut seul suffire à sa propre conservation."[5]

Locke explains himself no differently. If the end of the eighteenth century marks the watershed between the individualism of the school of Locke and the organic theories of the nineteenth century, there can

[1] *Pol. Writings,* vol. I, p. 241. [2] *id.,* vol. II, p. 32: *Con. soc.,* I. vi.
[3] *id.,* vol. II, pp. 43–4: *Con. soc.,* II. iv.
[4] *id.,* vol. II, p. 91: *Con. soc.,* III. xi. [5] *id.,* vol. I, p. 298.

be no question on which side Rousseau is to be found. A modern idealist, Bosanquet, has frankly recognized that in Rousseau's conception of the General Will there is a hard core of individualism. "He is appealing," he writes, "from the organized life, institutions, and selected capacity of a nation to that nation regarded as an aggregate of isolated individuals."[1] It may well be that the idea of the General Will was utilized by those thinkers who in the nineteenth century endeavoured to build up an organic theory of the state. After the quotations we have given it can hardly be questioned that to attempt to read any such theories back into Rousseau would be a perversion of his thought. And as he has taken so much trouble to make his meaning clear it is surely ungrateful not to allow him in this respect to be the interpreter of his own ideas.

Not only in the form of the organic theory, but wherever he meets the point of view that would subordinate the welfare of individuals as such to some supposed greater good of the state,—and this was a favourite idea, not only of governments, but of many of the *philosophes* in the eighteenth century,—his opposition is manifest. Thus Helvétius, "Tout devient légitime et même vertueux pour le salut public": on which favourite superficiality Rousseau descends with crushing force in the note, "Le salut public n'est rien, si tous les particuliers ne sont en sûreté."[2] It is worth noting, in conclusion, that even in the *Économie politique*

[1] B. Bosanquet, *Philosophical Theory of the State*, 3rd ed., 1920, pp. 108–9.
[2] *Œuvres* (ed. of 1826), vol. XI, p. 159 n.

he limits the rights of the state in the clearest manner possible. "Si l'on entend qu'il soit permis au Gouvernement de sacrifier un innocent au salut de la multitude, je tiens cette maxime pour une des plus exécrables que jamais la tyrannie ait inventées."[1]

Although the theory of the General Will introduces such a drastic change into existing political theory, it does not, then, entirely discard individualism. Rousseau is too much a man of the eighteenth century for that. And if we examine his idea of the functioning of the General Will, we find that he is equally at one with his contemporaries in his acceptance of the principle of utility. His explanation of the object of society is the utilitarian one. "C'est ce qu'il y a de commun dans ces différents intérêts qui forme le lien social; et s'il n'y avait pas quelque point dans lequel tous les intérêts s'accordent, nulle société ne saurait exister."[2] It follows, too, that when the individuals regard their own interest as separate and different from that of the rest of the community the state is threatened with dissolution.[3] This is, of course, a commonplace. It would be difficult to find a political philosopher before the nineteenth century who proposed any other end for the state than the common good.

Since he does not conceive of the state or society as a super-individual, to the supposed interests of which those of the individuals composing it must be sacrificed, it follows that the common good is for

[1] *Pol. Writings*, vol. I, p. 252.
[2] *id.*, vol. II, pp. 39–40: *Con. soc.*, II. i.
[3] *id.*, vol. II, p. 103: *Con. soc.*, IV. i.

Rousseau identified with the welfare of the individual members of the state. It is true that the individual has to accept the sovereignty of the General Will, but only because it is limited in its object to the common good. In deciding what is a matter of common interest, on which it is entitled to formulate a law, the General Will can—so long as it remains such—only decide according to the most impartial view of the interests of all the individuals composing society. Its very existence arises out of and is dependent on this common interest. "Les citoyens n'ayant qu'un intérêt, le peuple n'avait qu'une volonté."[1] Thus he is able to conclude, "Le droit que le pacte social donne au souverain sur les sujets ne passe point, comme je l'ai dit, les bornes de l'utilité publique," and to supplement even this with a quotation from d'Argenson, "Dans la République chacun est parfaitement libre en ce qui ne nuit pas aux autres."[2] We are nearer to John Stuart Mill than we should have supposed, if the theory of the General Will is reconcilable with both utilitarianism and individual rights.

While Rousseau accepts in this sense an individualist and utilitarian end for society, we cannot of course class him among the precursors of Bentham. His utilitarianism is not derived from an analysis of the motives of the individual. The great self-regarding principle, which is the essence of the creed of Helvétius and Bentham, is not called into action. Moreover utility is not the only object he prescribes for

[1] *Pol. Writings*, vol. II, p. 104: *Con. soc.*, IV. ii.
[2] *id.*, vol. II, p. 131: *Con. soc.*, IV. viii.

political society. At the very outset of the *Contrat social* he brings us face to face with the two elements in his political ideal. "Je tâcherai," he says, "d'allier toujours, dans cette recherche, ce que le droit permet avec ce que l'intérêt prescrit, afin que la justice et l'utilité ne se trouvent point divisées."[1] This duality is reflected as we have seen in his definition of the General Will; if the latter can be given a utilitarian end it is because utilitarianism is itself but one aspect of social justice.

His theory of the General Will then does not prevent Rousseau from remaining in a general sense utilitarian and individualist. The essential difference between him and most of the writers who upheld these ideas in the early part of the nineteenth century is that he does not assume any automatic connection between the two principles of individual and social welfare. He does not admit that the personal, selfish interest of the individual is necessarily allied to the well-being of the community. On the contrary, he says, "Ils s'excluent l'un l'autre dans l'ordre naturel des choses."[2] Now the utilitarian argument for democracy, in its simplest form, is based on this identification, although in fact utilitarianism is not logically incompatible with despotism. The individual may be tyrannized over for his own benefit, and it is on this ground that most despotic governments of the modern world have been defended. Individualism, on the other hand, can give us no satisfactory reason by itself why

[1] *Pol. Writings*, vol. II, p. 23: *Con. soc.*, I. i.
[2] *id.*, vol. I, p. 450: *Con. soc.* (first version).

any individual should consider the welfare of the community. On these lines the theoretic justification for the modern democratic state is certainly weak. To what extent is Rousseau with his theory of the General Will more successful than the utilitarians?

The interpretation of Rousseau as a founder of the modern system of democratic ideas has never been seriously challenged,—and this in spite of the numerous aspects on which his theory is in open contradiction with the basic conditions of modern democratic society. These are so obvious that they hardly need to be repeated—his hostility to the representative principle and to the great state, his preference for local autonomy, dislike for large cities and a highly developed and artificial social life, for frequent legislative changes,—one might almost say that he condemns in advance practically all the characteristic features of the democratic state of to-day. Yet we would not propose to abandon the traditional interpretation although it evidently needs critical examination.

For what reasons can we claim Rousseau as a precursor of democracy? The answer sometimes given is that he changed the emphasis from reason to emotion in the analysis of man as a political animal. For most ancient and modern philosophers the peculiar character of man and his highest faculty is the reason, which however is admitted to be the dominant power in but few. The majority, the masses, are moved only by self-interest and passion. Therefore, it is argued, the rule of reason implies the sovereignty of the few, if not of one, in other words of an aristocracy or of a

philosopher king. In Rousseau's thought, it is alleged, the process is reversed and for reason are substituted instinct and sentiment as the ruling faculties and chief guide in politics. Now instinct and sentiment have a greater power over the people than over those who reason. Therefore, the argument concludes, he gives sovereignty to the people.[1]

In this interpretation of Rousseau there is an element of truth, for undoubtedly he does not regard the intellect as providing by itself a sure foundation for political society; and equally certainly in his ideal state the legislative power is in the hands of the people and not the possession of one man or a small ruling class. What we would question is the assumption that the one fact is a deduction drawn from the other and that the result is equivalent to the rule of unreason.

Rousseau is opposed, admittedly, to the intellectualist psychology of those among the *philosophes* who attributed all action to conscious motivation, and from this the prevalent view of him as an enemy of reason largely springs. The influence of Cartesian rationalism is however writ large in his works, and if he allows the emotions a greater part in his political system than does Locke, that is to be attributed to his keener sense of political realities. After all, man is an animal moved primarily by his passions; it is no great virtue in a student of politics to pretend otherwise, to ignore the passions, instead of attempting to organize and master them, so that they can be turned to the service of the

[1] *Cf. Bulletin de la société française de philosophie*, vol. VII, December 27, 1906, pp. 69–70.

good state. Though Rousseau lacks a blind faith in the intellect as a political force, his theory is altogether on the side of reason if we compare it with that which came after and in the name of emotion, sentiment, tradition, upheld the aristocratic and monarchical system of the past against the new, Rousseauist democratic ideas.

His belief in the people as the legislative power is based not on irrational sentiment but on the conviction that the people as a whole forms the only power in the state which is not interested in perverting it to selfish and sectional ends. "L'intérêt personnel," he says, "augmente à mésure que l'association devient plus étroite . . . preuve invincible que la volonté la plus générale est aussi toujours la plus juste."[1] Acton, in a manuscript note, sums up Rousseau's argument so clearly that we cannot do better than quote him. "The constant and spontaneous sentiment of the masses, on matters which concern them all, is sure to be right—Masses judge not by theories, but by facts—It is the mass as opposed to the individual—The individual is presumably interested, narrow, selfish, swayed by theories—Private interest instead of general interest."[2]

Rousseau thus attributes the supreme qualities of social utility and justice to the unperverted will of the people. "Souvent," he says in the *Lettres de la Montagne*, "l'injustice et la fraude trouvent des protecteurs; jamais elles n'ont le public pour elles: c'est en ceci

[1] *Pol. Writings*, vol. I, p. 243: *Écon. pol.*

[2] Acton MSS., Cambridge Univ. Lib., Add. 5409.

que la voix du peuple est la voix de Dieu."[1] Truly a dangerous statement, and one that was to be used to justify every sort of popular imbecility in the course of the subsequent century. Yet we must remember that for Rousseau the will of the people is a synonym for the General Will, in which is embodied his special contribution to the theory of democracy. Even if he believes that it can be obtained rather from the naturally good sentiments of the many than from the possible selfish enlightenment of the few, the idea of the General Will is still a rational ideal. As he puts it in the first version of the *Contrat social*, the exercise of sovereignty, or the General Will, is, "dans chaque individu un acte pur de l'entendement qui raisonne dans le silence des passions sur ce que l'homme peut exiger de son semblable, et sur ce que son semblable est en droit d'exiger de lui."[2] The voice of the people is not heard in the howls of Metternich's mob, beating at his gates. Rousseau would distinguish as strictly as Burke himself between the passions of the populace and the voice of a people judging deliberately, in accordance with the light of reason, and under right guidance, on its own proper and permanent interests.[3]

Yet Rousseau was a son of the people: he put his trust in the people as he did in no governing classes. In the last analysis there is, one must confess, a certain emotional colouring in his theory. One might argue that what he is doing is deepening and expanding,

[1] *Pol. Writings*, vol. II, p. 256: *Lett. Mont.*, VIII.
[2] *id.*, vol. I, p. 452: *Con. soc.* (first version).
[3] *id.*, vol. II, p. 256: *Lett. Mont.*, VIII.

in fact giving a real content to *vertu*, the character according to Montesquieu necessary to the people under a republican polity. Even an approximation to democratic government was practically unknown in the eighteenth century. Rousseau was theorizing before the event, groping in the darkness towards a new idea of the state, and one about which—in spite of his love of the ancients—he could really gain very little information from the classics: one could hardly expect therefore that his ideas should have attained perfect clarity. Looking back, we may say that Rousseau's theory is an attempt to describe what we would call government by enlightened public opinion; but inevitably his anticipations, however intelligent, lack the reality that is only to be gained by the study of concrete experience. Not what he himself would have said, but the language in which a philosopher with more knowledge of the operation of an at any rate partially democratic society would express a parallel idea, is to be found in Green, "If the sovereign power is to be understood in this fuller, less abstract sense, if we mean by it the real determinant of the habitual obedience of the people, . . . it can no longer be said to reside in a determinate person or persons, but in that impalpable congeries of the hopes and fears of a people, bound together by common interests and sympathy, which we call the general will."[1]

Up to a point this is equivalent to government by public opinion, and in a manner of speaking, of course, public opinion is always the determining factor in the

[1] Green, *op. cit.*, § 86; *Works*, vol. II, p. 404.

state. But the illustrations usually given of the weakness of despotism when opposed by public opinion are proof of no more than a negative power, a capacity for resistance. The Sultan, it used to be said, could not compel his subjects to change their head-gear. Where the old traditional authorities were incapable of effecting changes, for the very reason that they were themselves based on the absence of change erected into a principle, the new dictatorial rulers, strong in an embodiment, even if only a temporary one, of the national will, have proved irresistible. Rousseau little guessed the uses to which the power he was creating might be put. The novelty in his argument is that he attributes to the people not merely a power of veto, which has been generally recognized, and which is after all only another way of expressing the tyranny of custom or tradition, he gives them also positive charge of their own destinies. Nor will he allow any limitation to the power of the General Will, any fundamental law which it is obliged to accept; not even the terms of the social contract itself are sacred.[1]

[1] *Pol. Writings*, vol. II, pp. 34–5: *Con. soc.*, I. vii; *cf. id.*, vol. II, p. 468: *Gouv. Pol.*

I have left the above because it seems to me the fairest interpretation of Rousseau's theory as a whole. We should note, however, one passage in which he expressly repudiates this view, and declares that there are three authorities superior to the sovereign, that of God, that of natural law, which derives from the natural constitution of man, and the authority that the idea of honour has over honest men. If ever the sovereign authority comes into conflict with these, it must yield to them. The effect is to concede practically all that Locke demands. I do not at present see how this can be taken as more than an isolated passage, but it is not the less interesting, especially as Rousseau has himself noted on the original draft, "Cette petite pièce est très bonne; il la faut employer." (L. J. Courtois, *Chronologie critique de J.-J. Rousseau*, 1924, p. 102.)

It is curious to reflect that perhaps the only system of government in which this unlimited legislative supremacy is accepted in theory and in practice is the English parliamentary democracy: even in Geneva the principle of a fundamental law was an integral part of the constitution.

A further consequence of Rousseau's principles is the abandonment of the idea that the law is somehow divine in origin and expresses human wills only in so far as they are the agents of divine ordinance. Thus he comes into conflict both with the theorists of natural law, who regard the laws of the state as temporary enactments for the purpose of securing the effectiveness of natural law, and with the theocratic school, for whom all human legislation is merely declaratory of divine justice. It was natural that to writers such as de Maistre the theory of Rousseau should seem the most impious arrogation of power and the very embodiment of tyranny. For he excludes the possibility of attributing sovereignty to any force other than the will of the people, even though the will of the people itself is only sovereign when it embodies the General Will. But to the General Will he allows the most extensive powers as the one and only source of law.

The result, in church and state, is truly revolutionary. The traditional and hereditary rights of priest, noble or king disappear at a blow. The idea of the sovereignty of the people is necessarily fatal to the regime of authority in both ecclesiastical and civil spheres. Monarchical divine right, legacy of the Middle Ages, and aristocratic privileges, the last bulwark of

fundamental law, both receive the final challenge. Rousseau's predecessor, Locke, although in implication no less formidable to the existing order of things, does not seem so drastic because he provides us with an apparent compromise. Natural law remains for him the barrier between the community and absolute sovereignty. It is only when we discover the lack of content of natural law that we find the bulwark useless; for what is natural law but the laws of human nature,—and even these are seen now to be more limited in scope and less absolute in character than would have been supposed formerly. By acknowledging the human origin of the laws Rousseau automatically puts society in charge of its own destiny, and in this sense it was really he who restored to the human race its titles. Further, he fills the lacuna left by utilitarianism, for the gospel of the greatest happiness still allowed room for the theological utilitarianism of Paley. Moreover in practice the utilitarians never really freed themselves from the idea of natural law, even though they disguised it in the form of so-called economic laws, or the principles of individualism, or the hedonist psychology. Rousseau—and this was his greatest crime—submits the state to no *a priori* laws of any kind; the only limits he recognizes are those imposed by the very stuff of human nature itself and by the positive circumstances of the state.

The *ancien régime*, the old semi-theocratic, semi-feudal, monarchical state completely loses, with Rousseau, its intellectual justification. The newer irreligious and utilitarian despotism, called benevolent, equally goes

by the board. And what is left, would say his critics, is the rule of the people,—controlled by no conception of a superior law, moderated by no divided sources of right or authority, tramelled by no respect for tradition, veiled by no religious awe,—the simple, stark, naked absolutism of the General Will. The extent to which this judgement requires to be modified we have already indicated. As concerns the political machinery of the state and the relation of the individual to the government it is obviously false. Yet it contains in the last resort a certain truth. Public opinion may be the force limiting all despotisms, but in the modern state what is it that shall limit the tyranny of public opinion? Theoretically, Rousseau may have surrounded it with all the safeguards posited in the definition of the General Will; but was it not to be feared that the idea might be seized on and the safeguards forgotten? And, his philosophical arguments neglected, were there not grounds for fearing that the dominance of the popular will, of the mass mind, might be a more serious menace to individual freedom than the power of any king? Rousseau, it is true, is hardly justly to be blamed for developments he could never have anticipated, which would have filled his soul with revulsion. Yet in one respect, indeed, there is an embryo absolutism in his political gospel itself, but it is of a new kind and not to be understood until we have studied another aspect of his theory; for the sovereignty of the General Will came in practice, and even to some extent in his thought, to mean that newer form of political absolutism which we call nationalism.

CHAPTER VI

ROUSSEAU AND THE NATION STATE

I. REVOLT AGAINST THE COSMOPOLITAN IDEAL

Political theory, even at its most metaphysical, can never be entirely divorced from practical politics, and Rousseau's was much closer to realities than his critics are generally willing to allow. Indeed we would be more disposed to charge him with an undue tendency to justify facts than with totally disregarding them. By itself the distinction is a vain one. The very *raison d'être* of political theory is to find which political facts to justify and which to condemn, and the latter process, if not equivalent to total disregard, is an equally drastic denial of validity. The real issue is which particular set of facts to accept, and which to reject. Rousseau was regarded as a dreamer because the facts from which he derived his political ideas were different from the facts as most of his contemporaries saw them. For most thinkers of the eighteenth century the subject matter of discussion in politics was provided by the states of the contemporary world as revealed in a rather narrowly political interpretation of their history, together with such material as could be obtained from a superficial knowledge of the classics, which omitted from its ken all of what one might call the more platonic elements in the life of the city state. The only political relation recognized, the link binding the individual members of the state together, was the

relation of government and subject. The basic political idea was therefore that of legal sovereignty.

With Rousseau, however, it is not enough to examine his political views merely in connection with that agglomeration of territory, united by its subjection to a single ruler, which constituted the characteristic state of the eighteenth century. His discussion even of the theory of sovereignty itself leads him, as we have seen, far from the beaten track of eighteenth-century political thought. In this chapter we hope to show that he was conscious of the possibilities of a new type of state, hardly as yet existent, that based on national sentiment.

Such nations as were already states, even France itself, had still to be born to self-consciousness out of the agony of the Revolutionary and Napoleonic wars. For the appearance of the nation state no political inventor can be given the credit or blame, and it is not our intention to saddle Rousseau with either. But the fact that he is perhaps its first theorist is undeniable. Not only is his theory of the General Will applicable to the nation state of the future whereas it is obviously without relevance to the atomistic, absolutist state of his own time, but he brings the national idea definitely into operation in connection with two of the few practical manifestations of national spirit that troubled the even path of eighteenth-century despotism. Nevertheless it is an aspect of his political thinking which, although adumbrated in general terms by one or two commentators, has been given practically no detailed examination. Yet without this one

cannot help feeling that it is almost impossible to appreciate his place in the history of political thought or to grasp as a whole his ideas on the nature and functions of the state.[1]

The novelty of the national idea at the end of the eighteenth century is generally admitted, though the attitude of individual citizens towards the states of which they were members is not a subject on which it is easy to generalize. It varied from the jingoism of *Rule Britannia* to the cosmopolitanism affected by the *philosophes*, from the blind obedience of Prussians to the anarchical independence of Polish nobles. In England the patriotic appeal could always raise the enthusiasm of the mob; in the petty German and Italian states patriotism can hardly have existed at all. Nowhere were the masses politically conscious or articulate. The absence of popular resistence to the revolutionary armies of France, except in Spain, is eloquent of the real condition of the feelings of the people. Genuine patriotic sentiments are perhaps only

[1] Apart from Vaughan I have only found three such references. Höffding speaks incidentally of Rousseau's great service in provoking a renaissance of patriotic feeling at the time when political life was petrified in obsolete forms. Professor Holland Rose says truly that the national idea is fundamental to the *Contrat social*, though he does not attempt to develop this view. While Professor Irving Babbitt in a passing reference adds nationalism to the already long catalogue of modern iniquities which he lays to the charge of Rousseau. Vaughan is the only writer to give this aspect of Rousseau's political thinking anything more than a brief reference, and while he emphasizes the fact that the *Gouvernement de Pologne* marks the triumph of the national idea in Rousseau's mind, and compares with this the conversion of Wordsworth a generation later, he seems hardly to realize the full significance of the idea and dismisses it very briefly. (Vaughan, *Political Writings of Rousseau*, vol. II, pp. 389–90.)

to be clearly seen in England and France, and even in these countries only among those middle classes whose economic interests were closely bound up with colonial expansion. The *noblesse* in France, as the Revolution showed, were loyal rather to their class than to their country; in fact one might say, with Chateaubriand, that for them patriotism was only born out of the nostalgia of exile, "ce mélange de tendresse et de mélancolie, qu'on nomme *l'amour de son pays*."[1] Finally, to give no more illustrations, when we find Irish Catholics fighting on the side of France against French Huguenot regiments in the English army, it is obvious that religion is still a rival claiming often deeper allegiance than the state.

There was doubtless much latent patriotic feeling in many countries, and one must be careful not to mistake the affectations of a literary clique for the sentiments of a people; nevertheless literature was in the eighteenth century very closely connected with the world of affairs and in the matter of patriotism reflects not unfaithfully current opinion. In eighteenth-century France the predominant tendency in literature was that of the *philosophes*, who prided themselves on their freedom from patriotic prejudices. Not that, as is sometimes supposed, they despised the patriotic ideal itself. But, as Montesquieu said, writing of monarchical government and not without reference to his own day, "L'état subsiste indépendamment de l'amour pour la patrie, du désir de la vraie gloire, du

[1] Chateaubriand, *Œuvres* (Garnier Frères, s.d.), vol. I, p. 296: *Essai sur les Révolutions*, 1796.

renoncement à soi-même, du sacrifice de ses plus chers intérêts, et de toutes ses vertus héroïques que nous trouvons dans les anciens, et dont nous avons seulement entendu parler."[1] He means to imply that patriotism is too noble an emotion, too republican a virtue, to be found in modern times. It is to Montesquieu that we can look for the source, in the eighteenth century, of the doctrine that patriotism is incompatible with despotic government, for by making *vertu*, defined as "l'amour des lois et de la patrie,"[2] the political motive exclusive to republics, he links this political sentiment, which is closely akin to what we would call patriotism, with free government. The Chevalier de Jaucourt in the *Encyclopédie* draws the conclusion that, "Ceux qui vivent sous le despotisme oriental, où on ne connoît d'autre loi que la volonté du souverain, . . . n'ont point de *patrie*."[3]

The explanation the *philosophes* offered for the absence of patriotic spirit was inadequate: ample evidence exists to prove that there is nothing essentially incompatible between patriotism and despotic government. The true cause lies in the fundamental difference between the ancient and the modern state. It is almost impossible for the citizen of the modern state—and more especially was this true in the eighteenth century—to feel himself identified in his every activity with the state in the way of the ancient world. A consciousness of the state and of patriotic citizenship in the intense, all-embracing sense of the classical

[1] *Esprit des Lois*, bk. III, ch. V.
[2] *id.*, bk. III, ch. III; bk. IV, ch. V.
[3] *Encyclopédie*, art. "Patrie."

world has in modern times been manifested rarely. Moreover it followed from their classical studies that when they did think of patriotism the *philosophes* conceived it as essentially connected with the relation of the individual to the sovereign body called the state. It is no exaggeration to say that the eighteenth century was oblivious of the existence of that other bond connecting men in society, the sense of nationality. This is not necessarily identified with statehood, the essential distinction between patriotism and the spirit of nationality being that the one is an emotion aroused by the idea of the state, and the other by the idea of the nation. But eighteenth-century usage did not distinguish between nation and state. The *Encyclopédie* defines *nation* as, "Mot collectif dont on fait usage pour exprimer une quantité considérable de peuple, qui habite une certaine étendue de pays, renfermée dans de certaines limites, et qui obéit au même gouvernement."[1]

In the eighteenth century, while most of the *philosophes* admired the classical spirit of patriotism, they disliked national differences, ignored the existence of nationality as a historical force, and if they had been aware of any general claim to national independence would certainly have repudiated a right based on nothing more rational than sentiment and tradition. That is the truth behind Rousseau's rather sweeping condemnation: "La famille, la patrie deviennent pour lui des mots vides de sens: il n'est ni parent, ni citoyen, ni homme; il est philosophe."[2]

[1] *Encyclopédie*, art. "Nation."

[2] *Œuvres*, vol. VIII, p. xviii: Preface to *Narcisse*.

Although a few medieval anticipations may be found, for instance in some of the arguments used during the Conciliar movement, conscious nationalism first became a force in world history during the nineteenth century. The classical idea of patriotism, the only kind known to the eighteenth century, by the end of the revolutionary period had been extensively supplanted by the idea of loyalty to the nation. The importance of the revolutionary wars in effecting this transformation can hardly be exaggerated. Why precisely as a result of this struggle the national idea should have commenced its career of world-wide conquest is a question almost impossible to answer, unless we say, as Hegel said of another explosive force, that the world had need of it and therefore it appeared; and indeed the role of nationalism in the political evolution of Europe and the world renders it not unworthy of the philosophical praise once awarded to gunpowder. However, though one cannot speak of nationality as a general political force before the revolutionary period, we have had occasion to point out elsewhere that the idea certainly appears before the Revolution.[1] In the incidental observations of Burke on the suppression of the Corsicans by French troops and on the First Partition of Poland, the right of national independence is definitely recognized. It was precisely these events which provided Rousseau with the occasion for what one may fairly term a more comprehensive and a more clearly expounded theory of nationality than that of Burke.

[1] Cobban, *op. cit.*, ch. IV.

He begins with a conception of patriotism not far removed from that of the *philosophes*. Prepared by his Genevan environment to appreciate some of the characteristic features of the life of the city state, he never really emancipated himself from classical ideals in politics, and as late as the *Gouvernement de Pologne* we find him drawing melancholy comparisons between the patriotism elicited by ancient political institutions and the vicious cosmopolitanism of his own day.[1] "*L'institution publique*," in the proper sense of the word, cannot exist in the absence of patriotism; since where there is no *patrie* there can be no possibility of citizenship.[2] He does not say that where there is no freedom there can be no patriotism; instead he reverses the accepted maxim, and declares that where there is no *patrie* there can be no freedom. Although with this significant change of emphasis, Rousseau, like Montesquieu, connects patriotism with republican virtue,—"La patrie ne peut subsister sans la liberté, ni la liberté sans la vertu, ni la vertu sans les citoyens."[3]

But Rousseau does not stop at this. In him we can see plainly the transition from the classical ideal of patriotism to the modern ideal of nationality. He exalts the patriotic spirit, as did the *philosophes*, but instead of a historical tradition or a literary pose, it becomes for him something more vital. He imports it into a new world of thought, and so doing changes it and intensifies its significance. His theory of the

[1] *Pol. Writings*, vol. II, pp. 429–30.
[2] *id.*, vol. II, p. 146: *Émile*.
[3] *id.*, vol. I, p. 255: *Écon. pol.*

contract fits consistently enough into the development of Lockian political ideas; his originality lies in that conception of the General Will which leads him irresistibly towards the idea of nationality. Here he stands alone, for the only other pre-revolutionary political writer to see the oncoming of the age of nationality was his greatest critic, Edmund Burke.

For both Burke and Rousseau the idea of nationality springs out of their newer attitude towards political society. The Genevese writer even falls on occasion as we have seen into an incautious use of the organic analogy, which Burke is more careful to avoid. On the other hand the eloquence of Burke's description of the life of society far transcends that of Rousseau. They both realize that the bases of political life and men's motives in society are more often emotional than intellectual. There is in Rousseau a contradiction between the author of the *Contrat social*, whose political psychology is on the whole rationalist, and the commentator on contemporary political facts. In the latter role one can trace an increasing consciousness of the irrational, beginning in the Second Discourse with a recognition of the motive force of passion, for which Rousseau may be indebted to Diderot.[1] In the *Économie politique* he applies the idea to the political sphere, maintaining that a man without passions would make an extremely bad citizen.[2] Replying to an intellectualist utilitarianism, the *Lettre à Mirabeau* of 1767 asks of whom we can say that his conduct is dictated

[1] *Pol. Writings*, vol. I, p. 150; *cf. id.*, vol. I, p. 120.
[2] *id.*, vol. I, p. 255.

by his real interests, and answers, "Le sage seul, s'il existe."[1] Where are there men, he demands, who follow even their own maxims? Reason shows us the end, the passions lead us away from it.[2] It follows that, the essence of society consisting in the activity of its members, the state itself can be no more free from passion than the individuals of which it is comprised. This is his answer, he says, to the many writers who have dared to declare, "que le Corps politique est sans passions, et qu'il n'y a point d'autre raison d'État que la raison même."[3] It forms an argument, incidentally, of considerable efficacy against the Idealists, whom some have accounted his disciples.

The *Corsica*, and still more the *Poland*, represent the practical application of this new view of political life. In Corsica, he congratulated himself, he had been the first to see a nation capable of discipline and freedom where others had seen only a band of brigands. "Je vis germer les palmes de cette nation naissante," he writes. The French expedition, shocking to "toute justice, toute humanité, toute politique, toute raison," shattered for ever his hopes and the prospects of Corsican independence;[4] but the ultimate success of France in such an unequal struggle was hardly proof of Rousseau's impracticability. He saw only too clearly how difficult it was for the small state to survive in a world of warring imperialisms. In Poland, again, the national spirit was to have a long history of struggle

[1] *Pol. Writings*, vol. II, p. 160; *cf. id.*, vol. II, p. 168.

[2] *Œuvres*, vol. VIII, p. ix: Preface to *Narcisse*.

[3] *Pol. Writings*, vol. I, p. 298: *L'état de guerre*; *cf. id.*, vol. I, p. 365.

[4] *Corr. Gén.*, vol. XIX, p. 257 n.: to Saint-Germain, February 26, 1770.

with adversity. In the case of Poland, also, and here with ultimate though long delayed justification, he develops the belief, implicit in the theory of the General Will, that the sentiments of the people are the ultimate law of the state. We must not exaggerate the contrast between these essays in the realm of practical politics and the more theoretical *Contrat social*, for the same idea is implied in a passage of that work. "À ces trois sortes de lois il s'en joint une quatrième, qui ne se grave ni sur le marbre, ni sur l'airain, mais dans les cœurs des citoyens; qui fait la véritable constitution de l'État; qui prend tous les jours de nouvelles forces; qui, lorsque les autres lois vieillissent, ou s'éteignent, les ranime ou les supplée, conserve un peuple dans l'esprit de son institution, et substitue insensiblement la force de l'habitude à celle de l'autorité. Je parle des mœurs, des coutumes, et surtout de l'opinion."[1] In any case, the result of combining a belief in the power of public opinion with a realization of its emotional nature is to provide scope for an appreciation of elements in political life which the intellectualist theories of the eighteenth and nineteenth centuries were accustomed to disregard,—and of these one was the force of nationality.

We are now perhaps in a better position to understand Rousseau's crusade against the cosmopolitan tendencies of his age, and why he should have set himself up against what we cannot but regard as one of the humaner and more generous ideals of the cen-

[1] *Pol. Writings*, vol. II, pp. 63–4: *Con. soc.*, II. xii; *cf. id.*, vol. I, p. 322: *Fragments.*

tury. While still under the influence of the philosophical sect with which he associated when he first went to Paris, he wrote in praise of "quelques grandes âmes cosmopolites, qui franchissent les barrières imaginaires qui séparent les peuples, et qui, à l'exemple de l'Être souverain qui les a créés, embrassent tout le genre humain dans leur bienveillance."[1] The natural tendencies of his mind are shown, however, even in the First Discourse, where he attacks those who despise the old phrases, religion and *patrie*, and devote their talents to the destruction of what is most sacred to mankind. After he had quarrelled with the Encyclopaedists, he was perhaps for that very reason all the bitterer against those whom he now called pretended cosmopolitans, who boasted of their love for humanity in order to have the right to hate their neighbours.[2] In the well-known passage of the *Émile* in which he scornfully says, "Tel Philosophe aime les Tartares, pour être dispense d'aimer ses voisins,"[3] was he not thinking of the enthusiasm of Voltaire and Diderot for the Empress Catherine and for the realm of Kubla Khan?

While the attack on cosmopolitanism was part of his general campaign against the *philosophes*, it also had a less personal basis, in an argument which appears before his final breach with them. As early as the *Économie politique* he had explained that the sentiment of humanity becomes weaker by being extended to

[1] *Pol. Writings*, vol. I, p. 182: *Disc. inég.*

[2] *id.*, vol. I, p. 453: *Con. soc.* (first version); *cf. id.*, vol. I, pp. 449–50.

[3] *Œuvres*, vol. I, p. 9: *Émile*, I; *cf. Pol. Writings*, vol. II, p. 145.

the whole world. This sentiment, he says, can only be useful to those with whom we are brought into immediate contact; it becomes the stronger by being confined to our fellow-citizens, and the greatest triumphs of *vertu* have been the product of national sentiment.[1] Such are to be expected no longer. Cosmopolitanism has destroyed the roots of patriotic ardour. In this as in practically every other respect Rousseau's outlook on his own age is that of a complete pessimist. In the *Gouvernement de Pologne* is his despairing cry, "Il n'y a plus aujourd'hui de Français, d'Allemands, d'Espagnols, d'Anglais même, quoi qu'on en dise; il n'y a que des Européens."[2]

Almost endless exordiums to patriotic virtue are to be found in his works. Himself a proudly patriotic Genevan, he might have used on his own behalf the words he puts into the mouth of Claire d'Orme, "Plus je contemple ce petit État, plus je trouve qu'il est beau d'avoir une patrie."[3] "L'amour de la patrie," he says, speaking here for himself, is, "plus vif et plus délicieux cent fois que celui d'une maîtresse."[4] And though the decree against his works issued by the magistrates of Geneva provoked him to declare that he had cut his former patriotic sentiments towards his city from out of his heart, in the end he was compelled to confess that he had not been able to detach his affections from his city and that nothing in the world could do so.[5] But he does not stop at this; it

[1] *Pol. Writings*, vol. I, p. 251. [2] *id.*, vol. II, p. 432.
[3] *Nouv. Hél.*, vol. IV, p. 205. [4] *Pol. Writings*, vol. I, p. 251: *Écon. pol.*
[5] *Corr. Gén.*, vol. XVIII, p. 177: to d'Ivernois, March 24, 1768.

is when he develops and applies the ideal of patriotism that the true originality of Rousseau appears. His insight is shown not so much by the negative work of undermining a naturally somewhat baseless cosmopolitanism, which while as circumstances were to show of little practical effect, did at least represent the rebirth of the œcumenical idea, as by the positive ideals that he put in its place.

2. THE DEFINITION OF A NATION

Rousseau's theory of nationality is based on an assertion of the reality of what the *philosophes* regarded as the 'artificial' distinctions between the nations. Even the supposedly abstract *Contrat social* begins essentially at this point. He denies roundly that the despotic state can have a public weal or form a *Corps politique*. Such an agglomeration, held together by mere force, does not interest him. The question he presents to himself is in what manner a people becomes such.[1] His object in this work is not to discover what a nation is, but how a body of individuals becomes a state, how, that is, rightful political authority is born. In answer to this question he introduces the idea of the General Will, and this in fact provides a certain justification for commencing here our study of his definition of the 'nation.' For it will not be difficult to show that the theory of the General Will is closely bound up with the modern idea of nationality, in the development of which indeed it plays an essential part.

[1] *Pol. Writings*, vol. II, p. 31 : *Con. soc.*, I. v.

The wilder nineteenth-century theories of a corporate consciousness or a national soul represent, in a sense, developments of the national principle, but the violent manifestations that are apt to result from these perversions are no more proof of a healthy activity than fever is of the proper functioning of the human organism. But, without having recourse to such extreme doctrines, some more intimate relationship between the members of society than was provided by eighteenth-century individualism, some idea of the moral personality of a state or a community as something different from the individual wills of its ruler or rulers, was required before the idea of the nation could have any reality. The General Will provided this, not only in itself, but also in what it implied, —the existence of a certain body of traditions, interests, aspirations, common to all members of the society. This is necessary to the national consciousness: we may call it if we like, in the words of Rousseau, national character. He maintains that, "Chaque nation a son caractère propre et spécifique,"[1] and his practical application of this idea might well be regarded as one of the most original aspects of his political thinking.

As at so many other points, Rousseau's forerunner here too is Montesquieu, who also recognizes the existence of "l'esprit général d'une nation," a product, he says, of the influence of climate and religion, laws, government, the experiences of the past, manners and customs, which is in fact the national character. But

[1] *Œuvres*, vol. V, p. 390: *Émile*, V.

he draws no deductions of political importance; and although in a sense his whole argument leads up to the realization that this must be the essential basis of political life, he never recognizes it explicitly. The idea of the *esprit général* is overshadowed because of the great emphasis he lays on the single factor of climate; whereas with Rousseau the national character in the widest sense of the term becomes the foundation of political life and the real source of the strength of the state. "La première règle, que nous avons à suivre," he says when he has to set about drawing up a constitution for an actual state, "c'est le caractère national: tout peuple a, ou doit avoir, un caractère national; s'il en manquait, il faudrait commencer par le lui donner."[1] It was because of the value he attached to the national character that Rousseau attacked the introduction of French customs into Switzerland, or criticized Peter the Great for trying to make Germans and English when what he really needed was Russians.[1]

It is not difficult to see that there is a certain contradiction in these ideas. It seems to be taken for granted that a national character is a natural and unfailing attribute of every people; yet at the same time that it is something which it is necessary to create and with which it is the duty of the ruler to endow his people. One is forced to conclude that while Rousseau holds that a people ought to have a national character, he also believes that its existence cannot necessarily be predicated of every society. It repre-

[1] *Pol. Writings*, vol. II, p. 319: *Proj. Corse.*

[2] *id.*, vol. II, p. 56: *Con. soc.*, II. viii; *cf. Corr. Gén.*, vol. IX, p. 9.

sents thus an ideal as well as a fact. The particular character which it is assumed that each people should have is dictated partly by what is appropriate to the actual circumstances of the state and partly by the ideal which the legislator sets before himself.

Whether an unconscious growth or a deliberate achievement, the first question we have necessarily to ask of Rousseau is in what way he accounts for the existence of national differences. We have to glean his positive ideas of what constitutes national character from various sources, but especially from his essays on the constitutions of Corsica and Poland. His discussion of the origins of nationality rejects what was destined to be the favourite nineteenth-century explanation, the division of mankind into races. The original nations, if there were such, have been, he says, "tellement transplanté et confondu" that a pure one hardly exists on the face of the earth, unless it be in the depth of Africa.[1] He is disposed to attribute a larger part to language: each language he believes has its particular spirit and characteristics, which may be in part allied to the differences of national character, though whether as cause or effect he is unable to decide.[2] He is willing to begin by conceding the initial influence of natural surroundings on the primitive character of the inhabitants. Thus it is that he derives the national character of the Swiss from their mountainous home. In the well-known letter of Saint-Preux he is surely describing his own sentiments when

[1] *Pol. Writings*, vol. I, p. 355: *Fragments*.
[2] *Œuvres*, vol. V, p. 427: *Émile*, V.

he exclaims, "Plus j'approchais de la Suisse, plus je me sentais ému. L'instant où, des hauteurs du Jura je découvris le lac de Genève fut un instant d'extase et de ravissement. La vue de mon pays, de ce pays si chéri où des torrents de plaisirs avaient inondé mon cœur; l'air des Alpes si salutaire et si pur; le doux air de la patrie, plus suave que les parfums de l'orient; cette terre riche et fertile, ce paysage unique, le plus beau dont l'œil humain fut jamais frappé; . . . tous cela me jettait dans des transports que je ne puis décrire, et semblait me rendre à la fois la jouissance de ma vie entière."[1]

But it is only in the remote countryside that national character exists uncorrupted.[2] All great capitals are alike, he observes in the *Émile*; "C'est la campagne qui fait le pays, et c'est le peuple de la campagne qui fait la nation."[3] One can perhaps trace the influence of Montesquieu in an observation that when a country is not peopled by colonists it is from the nature of the soil that the primitive character of the inhabitants is born.[4] But, however originated, the association of national affections with the physical environment is clearly marked for Rousseau. "Les paysans," he believes, "sont attachés à leur sol beaucoup plus que les citadins à leurs villes . . . De là le contentement de son état, qui rend l'homme paisible; de là l'amour de la patrie, qui l'attache à sa constitution."[5]

1 *Nouv. Hél.*, vol. III, p. 156.
2 *id.*, vol. II, p. 324.
3 *Œuvres*, vol. V, p. 424: *Émile*, V.
4 *Pol. Writings*, vol. II, p. 320: *Proj. Corse.*
5 *id.*, vol. II, pp. 310–11: *Proj. Corse.*

He holds that among the ancients national character was more strongly developed, when a people occupied its territory for so long that it forgot there ever was a time when its ancestors had been strangers come to settle on the soil.

In modern Europe, however, the close relationships between the various states, following on the migrations of the nations, have produced a confusion of races and peoples, a cosmopolitan medley, from which it resulted, he wrote, that a Frenchman, an Englishman, a Spaniard, an Italian, a Russian are all in effect the same man.[1] From this one may possibly trace the element in which his theory differed most widely from the ideas of the only other great contemporary thinker to anticipate the coming of the age of nationality, Edmund Burke. For Montesquieu national character had been almost purely a result of physical environment; for Burke the national character shapes for itself the institutions of the country; whereas Rousseau, as we have seen, looking at the weakness of national consciousness in his age, takes the institutions as themselves instruments by which the national character can be moulded and indeed created, and a love of country inspired. Nationality is no longer, as with Montesquieu, merely a political *datum*, a result of the operation of natural forces that has to be accepted as beyond the power of human interference. Once again we discover the peculiar quality of Rousseau's thinking, which does not lie so much in the novelty of his analysis, as in the fact that he brings under the

[1] *Pol. Writings*, vol. II, p. 438: *Gouv. Pol.*

dominion of the human will forces that most previous and contemporary thinkers had treated as autonomous. He assumes that national character can be created. "Ce sont les institutions nationales qui forment le génie, le caractère, les goûts et les mœurs d'un peuple . . . qui lui inspirent cet ardent amour de la patrie."[1] Rousseau admitted of course the complex nature of the relation between national character and institutions; the institutions had to be adapted to the nation, while at the same time the nation was shaped by the institutions;[2] yet in so far as it was possible to attribute any priority it was to the institutions that he gave it. In the long run, he believed, all peoples are what their governments make them.[3]

It would be doing Rousseau an injustice to give the impression that he attributed the formation of national character solely to the influence of physical surroundings and political institutions. It is a product of the environment as a whole, and in this connection the influence of education has particularly to be considered. There is not, it is true, a great distinction here, because for Rousseau the end of the state and the object of all its institutions is essentially and in the broadest sense the education of the citizens, and in his ideal state, a somewhat imaginary Sparta, the education of the children is the chief concern of the constitution.[4] When he is asked by what institutions the distinctive characteristics of the nations are devel-

[1] *Pol. Writings*, vol. II, p. 431: *Gouv. Pol.*
[2] *id.*, vol. II, p. 307: *Proj. Corse.*
[3] *id.*, vol. I, p. 248: *Écon. pol.*
[4] *id.*, vol. I, p. 190: *Disc. inég.*

oped, his answer is that it is education which elevates the individual to national status.[1] "C'est par elle qu'on formera de bonne heure les jeunes citoyens à réunir toutes leurs passions dans l'amour de la patrie, toutes leurs volontés dans la volonté générale."[2] For this reason the education of children, the fitting them for their future duties as citizens, cannot be left at the mercy of the prejudices of their parents. A system of public education, under rules and teachers provided by the state, is, he says, a fundamental maxim of all legitimate government.[3] It is as necessary, in addition, for the functioning of free institutions as for the development of a national character.

An apparent contradiction has frequently been pointed out between Rousseau's insistence on a public education for the citizen and his own treatise on education, in which Émile receives a strictly private education. The explanation is equally familiar, that in the corrupt society of the eighteenth century the requisites for a public education being lacking, the tutor takes the place of the state and performs those duties which it is incapable of fulfilling. Vaughan indicates another apparent discrepancy, the absence of any scheme for a national education from the *Contrat social.* One cannot explain this by the theory that Rousseau only realized the importance of national education at the end of his life, when his ideas on the nation state were developed most fully, as in the

[1] *Pol. Writings,* vol. II, p. 437: *Gouv. Pol.*

[2] *id.,* vol. I, p. 277: *Écon. pol.*; *cf. id.,* vol. I, p. 319: *Fragments*; vol. I, p. 255: *Écon. pol.*

[3] *id.,* vol. I, pp. 256–7: *Écon. pol.*

Gouvernement de Pologne, since it is to be found with almost equal emphasis in the *Économie politique*. One can only assume, with Vaughan, that it arises from the more limited scope of the *Contrat social*,[1] where he confines himself almost exclusively to the sphere of political institutions; his object is the strictly limited one of discussing the form of political organization capable of securing freedom in the state. The *Économie politique*, on the other hand, is a broader if slighter study. But perhaps the most satisfactory explanation of the absence of the idea of national education from the *Contrat social* is that while the *Corsica* and the *Poland* are directed to the immediate practical end of saving the state by strengthening the nation, the *Contrat social* takes for granted the existence of a keen desire on the part of the members of the state to belong to the same community, or as we would call it, national feeling; and it concerns itself only with the philosophical justification and the political organization of the state, the emotional basis of which is pre-supposed.

When Rousseau speaks of national education, the term has to be understood in the broadest sense. It is not the rather negative enlightenment of the *philosophes*, the object of which was primarily the removal of superstition and prejudices. It is an education of the character rather than of the intellect, but this is the only respect in which it coincides with the education of Émile. To attempt to reconcile finally the patriotic scheme of education with the more philosophical ideal propounded in the *Émile* is a hopeless

[1] *Pol. Writings*, vol. I, p. 232.

effort. As Rousseau himself observes, it is necessary to choose between the man and the citizen. One cannot, he believes, educate at the same time for the two ideals.[1] Whereas Émile, the citizen of the world, has to be guarded from the prejudices and passions roused by the study of that most dangerous of all subjects, history, the young patriot is to be soaked in the history of his country. How great a development this represents from Rousseau's ideas even as late as the *Nouvelle Héloïse*, is demonstrated by the precepts of Saint-Preux, who it is true would allow Julie to study the history of her own country, but only because of its freedom and simplicity, because there she would find the history of modern men with classical virtues. But those who dare to maintain that the most interesting history and the most valuable study is always the history of one's own country the generous Saint-Preux strictly confutes.[2]

Because we have mentioned history, it must not be supposed that the patriotic education, as Rousseau conceived it, was to be a mere academic discipline confined to the orthodox methods of the schools. The humblest means were not to be despised. "Par où donc émouvoir les cœurs, et faire aimer la patrie et ses lois? . . . Par des jeux d'enfants: par des institutions oiseuses aux yeux des hommes superficiels, mais qui forment des habitudes chéries et des attachements invincibles."[3] Religion also has its part to play in the formation of national spirit, as, says Rousseau, is

[1] *Pol. Writings*, vol. II, p. 144: *Émile*. [2] *Nouv. Hél.*, vol. II, p. 49.
[3] *Pol. Writings*, vol. II, p. 427: *Gouv. Pol.*; *cf. id.*, vol. II, p. 439.

qu'aucune armée ne saurait forcer."[1] His *amour de la patrie* becomes here but another name for what we should call nationalism. The trend of his ideas leads straight to the nineteenth-century theory of national self-determination, which in a manuscript note he puts quite explicitly. "Qu'on puisse à son gré faire passer les peuples de maître en maître, comme des troupeaux de bétail, sans consulter ni leur intérêt ni leur avis, c'est se moquer des gens de le dire sérieusement."[2] One cannot but be reminded again of Burke, and his comment on the transference of the island of Corsica from Genoa to France: "Thus was a nation disposed of without its consent, like the trees on an estate."[3]

To say that Rousseau was a prophet of the national movement is not necessarily to claim that he exercised any influence over its practical development: the causes of that are to be found in the sphere of actual events and in the spirit of a new age. All we would claim for Rousseau, as for Burke, is that he was more conscious than others of the stirrings in the air, of the springtime of a new world, and that he not only wrote the words which spelt the doom of the *ancien régime*, but also prophesied the national state of the future which was to take its place.

3. NATIONALISM, THE NEW TYRANNY

Rousseau is to be regarded, as we have seen, as the upholder of political freedom against the despotic

[1] *Pol. Writings*, vol. II, p. 431 : *Gouv. Pol.* [2] *id.*, vol. I, pp. 340–1.
[3] *Annual Register*, 1768, Historical Section, p. 2.

monarchies of the eighteenth century. Even in the *Contrat social* his object is certainly to organize political liberty, and it is at least arguable that he is not so unsuccessful as is sometimes alleged. But does he appear in the same light in relation to the new nation state, which embodied his practical ideal in politics, or does he not in the last resort merely change one despotism for another, setting up in the name of the *patrie* a tyranny more terrible and all-embracing than that of kings? Against the œcumenical, humanitarian ideas which form the noblest element in Voltaire's political creed he puts forward an ideal of patriotism which appears hard and exclusive to the utmost degree. As he writes, coldly and unemotionally, "L'esprit patriotique est un esprit exclusif qui nous fait regarder comme étranger et presque comme ennemi tout autre que nos concitoyens."[1] This he admits to be a defect, but an inevitable one and not of the greatest importance. The essential thing, he says, is to be good to the people with whom one lives.[2] One sees that the nationalist wars which were to re-draw the frontiers of Europe with blood, and to write the history of an ideal in war and devastation, do not enter into the scope of his thought. In proclaiming the blind and arrogant hostility of the patriot to all that is alien Rousseau, it might be said, is merely stating a fact; but this will not serve him as an excuse, because he is no less extreme in expressing his view of what

[1] *Pol. Writings*, vol. II, p. 166: to Usteri, April 30, 1763; *cf. id.*, vol. II, p. 144.

[2] *id.*, vol. II, pp. 144–5: *Émile.*

ought to be. "Un enfant, en ouvrant les yeux, doit voir la patrie, et jusqu'à la mort ne doit plus voir qu'elle."[1]

This eulogy of national exclusiveness forms a striking contradiction to Rousseau's often repeated denunciation of war. Otherwise, as a prophet of international peace he would deserve possibly more credit than Voltaire, who, despite the satire of *Candide*, had a marked inclination to be dazzled with military glory; and this not merely because of Rousseau's attempt to revise Saint-Pierre's project for international peace, but because of the views he consistently maintained on the problem of international relations and war. These may be summarized very briefly. In the first place, Rousseau proclaimed the existing evil condition of international relations, in fact the reign of anarchy in Europe,—wars which nobody wanted and which desolated the whole world, immense armies, kept up in peace time yet incapable of safeguarding the country in war, ministers who were overwhelmed with labours yet achieved nothing, mysterious, futile treaties, alliances painfully built up by years of negotiation, and broken off in a single day,—such is his summary.[2] As for the pretended *droit des gens* which is supposed to moderate the violence of war and the unscrupulousness of diplomacy, its laws, says Rousseau, are the merest chimeras, more remote from reality than the law of nature itself.[3] The result of

[1] *Pol. Writings*, vol. II, p. 437: *Gouv. Pol.*
[2] *id.*, vol. I, p. 314: *Fragments*; *cf. id.*, vol. I, pp. 182, 204: *Disc. inég.*
[3] *id.*, vol. I, p. 304: *L'état de guerre.*

continual warfare and unrest is the development of the system of large standing armies, which exhaust the revenues of the state and provide a perpetual temptation to the government to utilize them in aggressive war.[1]

This is Rousseau's description of the actual state of international relations. But the warlike condition is, according to him, not natural to the human species. Man seems to him naturally peaceable and timid. "Ce n'est qu'après avoir fait société avec quelque homme qu'il se détermine à en attaquer un autre; et il ne devient soldat qu'après avoir été citoyen."[2] There is no war between men, but only between states. Already in the *Discours sur l'inégalité* he had traced the origin of war and its attendant horrors to the effect of the division of the human race into different societies.[3] Why then, the query inevitably arises, in the face of all the evil resulting from the conflicts of states, does he glorify the division of the world into nations, encourage them to develop the particularist spirit in its highest degree, and thus intensify existing evils? We might argue that Rousseau is compelled to accept the existence of separate national states by the impossibility of the formation of a universal society, which he admits.[4] But his nationalism is no passive acceptance of facts, it is a positive glorification of them. Have we to conclude, then, that we can clear

[1] *Pol. Writings*, vol. I, p. 383: *Paix perpét.*; *cf. id.*, vol. I, p. 265: *Écon. pol.*; vol. II p. 486: *Gouv. Pol.*

[2] *id.*, vol. I, p. 294: *L'état de guerre.* [3] *id.*, vol. I, p. 182.

[4] *id.*, vol. I, pp. 449–50: *Con. soc.* (first version). It is worth noting, however, that this passage was cancelled.

Rousseau from the accusation of being the inspirer of the Terrorists, only to make him the prophet of the insane nationalism of the twentieth century?

There is a still more serious criticism to be brought against this aspect of his political theory, in respect to its reactions on the liberty of the individual. A significant connection may be remarked here between the two most illiberal of Rousseau's political principles, the idea of nationality and that of the civil religion. The real case for regarding him as an enemy of liberal Europe comes back almost inevitably to these ideas, which are closely associated, because the civil religion is the religion of the state, of such a state as is upheld by Rousseau's nationalism, for the sake of which in fact it exists. Moreover nationalism as expounded in the *Poland* comes sometimes perilously near to being the rule of prejudice and of mass emotion, the tyranny of that patriotism which is the last refuge of a scoundrel.

It is difficult in our day not to envisage nationalism in terms of those movements which in its name have established the government of organized violence and mass hysteria. The defect which vitiates the application of this form of criticism to Rousseau, however, is that it involves judging a political force by the uses to which it was destined to be put a century and a half later. Possibilities for both evil and good were present in the nationalist movement from the very beginning. The apology for Rousseau must be based on the conditions of his day, when the great international menace seemed to be the aggressive im-

perialism of the large powers, the apparently insatiable lust for increased territory exhibited by the rulers of Prussia and Russia and France in Europe and by England overseas. This evil Rousseau attributed not to any aggressive nationalist sentiment in the peoples of these countries but primarily to their defective forms of government. A despotic ruler can always secure the support of the people for a forward foreign policy if he has the least ability or good luck, and he is likely to wish to do so, because the appeal to nationalist passions appears to be the surest means by which in modern times a people can be kept for a prolonged period in a state of blind obedience. If it was useful to the old-fashioned despot, who could at least fall back on the support of traditional loyalty, it has become almost indispensable to the modern dictator. Matters are possibly improving. The perpetual warfare of Napoleon I gave way to the intermittent warfare of Napoleon III; and later dictatorships have even been compelled to tolerate a state of peace, though it may be suspected that they remain equally dependent on the maintenance of a bellicose attitude and the inculcation of contempt for other nations. But it is only fair to remark that, as Rousseau would have us note, in all these cases the menace to peace springs far less from the nationalism of the people than from the political necessities of the ruler.

As for the militarism and international anarchy of the eighteenth century, these are evils, Rousseau would say, resulting directly from the absence of genuine nations and national feeling. "L'État, . . . étant un

corps artificiel, n'a nulle mesure déterminée. . . . Sa sûreté, sa conservation, demandent qu'il se rende plus puissant que tous ses voisins."[1] A heterogeneous collection of 'subjects,' it could have no natural limits, such as a consistent theory of nationality imposed, and its preservation—as the will of the people was not to be relied upon—depended entirely on its military strength. It was as an alternative to this method of holding the state together that Rousseau appealed to national feeling. Its function was essentially a non-aggressive one. Of Poland, as earlier of Corsica, he wrote that, "Une seule chose suffit pour la rendre impossible à subjuguer: l'amour de la patrie et de la liberté."[2] Militarism ceases to rule under such conditions, because in a state where these sentiments prevail mercenary armies are not needed: a national militia composed of the citizens themselves will defend their frontiers.[3] Basing himself on the experience of Rome and the ancient city states and of Switzerland in modern times, Rousseau urges strongly the case for a citizen army as against a professional one. "Tous les Citoyens doivent être soldats par devoir, aucun par métier."[4] Practically all the *philosophes* were in agreement with him here, notably Montesquieu and Mably; and yet once again we have to remark that what seemed a patent truth at one moment was to lose its validity in the course of a generation. The citizen army which seemed to be a guarantee of liberty became

[1] *Pol. Writings*, vol. I, p. 297: *L'état de guerre.*
[2] *id.*, vol. II, p. 491: *Gouv. Pol.*; *cf. id.*, vol. II, p. 431.
[3] *id.*, vol. II, pp. 486–88: *Gouv. Pol.*
[4] *Nouv. Hél.*, vol. II, p. 310, n.

in the hands of Napoleon the greatest instrument of military despotism.[1]

Rousseau advocated this citizen army mainly from internal reasons. But even if the wars of republics were bitterer than those of monarchies, he took it for granted that the nations would not indulge in the irresponsible wars of the despots. According to a report by Mercier he said in 1775, "Les nations ne se battent que pour un grand et véritable intérêt; tandis que les princes agissent par orgueil."[2] It follows from Rousseau's conception of the state as a definite entity with a General Will and a distinct national spirit that it has certain assigned limits which it cannot exceed. Imperial ambitions are bound to be fatal to the liberty of the nation, as he writes of England, and here he employs precisely the argument against despotic rule that we have already outlined. "Le goût des conquêtes . . . n'a pas tant pour véritable motif le désir apparent d'agrandir la nation que le désir caché d'augmenter au dedans l'autorité des chefs, à l'aide de l'augmentation des troupes et à la faveur de la diversion que font les objets de la guerre dans l'esprit des citoyens."[3] What concerned the citizen, he believed, was to be governed justly and peaceably: in the glory and power of the state he had no interest.[4]

[1] The persistence of the idea, however, was shown by the disarmament scheme of 1933, which proposed to generalize the system of universal military service on the continent of Europe, in the interests of peace and democracy.

[2] Mercier, *op. cit.*, vol. II, pp. 210–11.

[3] *Pol. Writings*, vol. I, p. 263–4: *Écon. pol.*

[4] *id.*, vol. I, p. 398, n. 1: *Polysynodie.*

Obviously the dangers of aggressive nationalism are not anticipated by Rousseau. That the reshaping of Europe into national states might cause more bloodshed than the wars of the despots, that citizen armies might be more formidable and far larger than mercenary ones, that national wars might be more terrible than those resulting from the ambitions of kings, was a secret hidden from him. In his anxiety to promote the national spirit of the Poles he lays himself fairly open to the criticism of Bonald. "Cet ami de l'humanité insiste beaucoup trop, pour l'honneur de la philosophie, ainsi que Mably, sur la nécessité d'exciter, d'éterniser dans le cœur des Polonais la haine contre leurs voisins."[1]

In order to be just to Rousseau, however, we must take the national idea not in all its subsequent developments and aberrations, but as he envisaged it. In itself it is an emotion which we can hardly either approve or condemn without knowing its particular application. As Professor G. M. Trevelyan has said, "The sentiment of nationality, that simplest of all ideals which appeals to the largest quantity of brute force, has in its nature no political affinities either with liberty on the one hand or with tyranny on the other; it can be turned by some chance current of events, or by the cunning or clumsiness of statesmen, to run in any channel and to work any wheel."[2] The evils of modern nationalism are at least not the necessary result of the national idea as Rousseau conceived it. We may go

[1] Bonald, *Œuvres*, 1859, vol. II, p. 436.

[2] G. M. Trevelyan, *England under the Stuarts*, 1904, p. 117.

farther and claim indeed that he provided in advance the corrective to some of its most dangerous features.

The sentiment of nationality, he believes, comes in the beginning from attachment to the land on which one lives. For this very reason it is likely to be a conservative, defensive force rather than an aggressive one. In the second place, we should remark that according to Rousseau the sentiment of nationality is necessarily strongest in small states, and weakest in large states with widely separated and diversified territories. Of his preference for the small state we have already spoken. He can hardly be accused of ignoring the evil consequences that would flow from the wars of the great nation states when he has written, "Grandeur des nations, étendue des États: première et principale source des malheurs du genre humain."[1] Rousseau's patriotism has been called *le patriotisme de clocher*. This kind of nationalism is perhaps narrow, exclusive, provincial; but at least it has nothing in common with the national imperialisms, the racial megalomania, of later times. The danger which Rousseau's form of nationalism presents is quite the reverse. The small states which alone he admires, though stronger in proportion to their size than great ones, are necessarily at the mercy of their larger neighbours. If his examination of the constitution of the various states of Europe leads him to the conclusion that some are too large to be well governed, it also reveals to him that others are too small to be able to maintain their independence.[2]

[1] *Pol. Writings*, vol. II, p. 442 : *Gouv. Pol.* [2] *id.*, vol. I, p. 321 : *Fragments.*

As Windenberger has shown, he has a remedy for this defect, and one which serves to re-emphasize the essentially non-aggressive nature of his nationalism.[1] It is to be found in the federal system, "Le seul qui réunisse les avantages des grands et des petits États."[2] The question Rousseau puts himself here is practically identical in form with that which provided the starting-point for the *Contrat social*, to find "une forme de Gouvernement confédérative, qui, unissant les peuples par des liens semblables à ceux qui unissent les individus, soumette également les uns et les autres à l'autorité des lois."[3] This scheme has been criticized from the legal standpoint, on the ground that the idea of federation is irreconcilable with the idea of the personality of the state, and with the principle of national sovereignty; but this only serves to show once more the contrast between Rousseau's idea of the state and the legal theory of sovereignty. For Rousseau the submission of the state to the rule of law by the introduction of a system of federation no more limits its real liberty than the social contract limits the liberty of individuals: all it does is to substitute the reign of law freely accepted for an involuntary anarchy. Far from destroying national independence it is intended to be its safeguard. The necessary conclusion is that Rousseau's system of national sovereignty is less absolute than his critics have supposed. Nor can we afford to neglect his proposed solution.

[1] J. L. Windenberger, *La république confédérative des petits États*, 1900.
[2] *Pol. Writings*, vol. II, p. 443: *Gouv. Pol.*
[3] *id.*, vol. I, p. 365: *Paix perpét.*; *cf. id.*, vol. II, p. 158: *Émile.*

The great nation state has not hitherto functioned conspicuously for the advantage of mankind; and a form of federalism to which states approach in proportion to the degree of liberty of local self-government they allow, may yet prove the only way out of the national tangle.

Once again, we see that the possibility of an aggressive national spirit is not conceived by Rousseau. The idea of conquest or domination is in fact in contradiction with his whole attitude. He accepts nationality as a political fact and as a force capable of maintaining the independence of the state. In the eighteenth century, at the height of the age of partitions, and in a work devoted to Poland, it was natural that the latter should be the leading consideration. But it is clear that fundamentally for Rousseau nationality is a spiritual force which he regards as necessary for the mental well-being of individuals in the state and essential to their self-respect. The basic fact is not political allegiance to any government, it is just membership of a community, the sharing of a common way of life, a manner of being, as he puts it. Admittedly we do not find this point of view developed at length in his works. It was only definitely evoked towards the end of his life and by the special circumstances surrounding the Polish question, though the seeds are to be found much earlier.

A letter,[1] from the manuscripts of his self-styled friend and disciple, the comte d'Antraigues, carries forward the argument for us. Whether the letter be

[1] See Appendix IV.

based on one from the pen of Rousseau, or whether, as is probable, it be wholly a fabrication of d'Antraigues is not a question of primary importance, though if it be attributed to d'Antraigues he certainly deserves a somewhat higher rank as a political thinker than he has usually been given.[1] But if not by Rousseau himself, the letter was at least composed under the influence of his ideas, and by one who is to be reckoned a fervent and whole-hearted disciple. It is not without significance that the letter should derive the conception of nationality, or, as it is termed here, *l'amour du pays natal*, from reflections on the Middle Ages, the time when, the writer says, sensibility and religion reigned over the human heart, and when the highest ideals of chivalry were the fortunate effect arising from what the enlightened eighteenth century would have called illusions. The connection thus established provides us with a valuable indication of the way in which the idea of nationality developed. It is perfectly true that the medieval revival precedes, though by very little, the birth of the national idea, and that both form part of the general romantic movement. In England those thinkers who are notable for their early apprehension of the national idea,—Burke, with Wordsworth and the other Lake Poets,—share also in the new-born admiration for the Middle Ages. One derives from the d'Antraigues letter a hint that the association perhaps goes deeper, that the medieval revival is not merely one manifestation of the new phase of thought, but also partly the cause of the new attitude towards politics.

[1] See Appendix I.

From where but from the Middle Ages might those who believed in nationality have drawn their ultimate inspiration? Classical history abounds with examples of patriotism, and Rousseau made ample use of them, but—whether he realized it himself or not—his idea of a national spirit is fundamentally different from the patriotism of the ancient world. Europe from the sixteenth century onwards was too completely under the influence of classical thought and of the struggle for territorial aggrandizement to provide scope for the development of the idea of nationality. The Middle Ages on the other hand are the time of the making of the nations. The chaos of the latter centuries of the Roman Empire witnessed their birth throes, and by the end of the medieval period the national divisions of Europe were fairly completely sketched out as we have them now. In practice most of the nations which have won or regained their independence during the last century have looked back to their medieval greatness for inspiration. It was natural that the theorists of the national movement should have been the first to hark back to the time when the nations were being created, and perhaps at any rate in part to discover the idea itself hidden in the records of medieval history.

But the point at which the letter most strikingly carries on and develops Rousseau's own ideas is in the distinction it draws between *l'amour de la patrie* and *l'amour du pays natal*, a distinction which well illustrates the difference between the classical eighteenth-century idea of patriotism and the modern idea

of nationality. How far removed at an earlier date Rousseau was from any preference for the latter is shown in the *Nouvelle Héloïse*, when Claire, after exclaiming how beautiful it was to have a *patrie*, added, "et Dieu garde de mal tous ceux qui pensent en avoir une, et n'ont pourtant qu'un pays!"[1] A passage from the *Émile*, however, indicates that his ideas on this subject were beginning to change. "Qui n'a pas une patrie, a du moins un pays. . . . Ne dis donc pas, que m'importe où que je sois? Il t'importe d'être où tu peux remplir tous tes devoirs, et l'un de ces devoirs est l'attachement pour le lieu de ta naissance. Tes compatriotes te protégèrent enfant, tu dois les aimer étant homme."[2] We seem to detect here the beginning of a conscious distinction between the classical ideal of patriotism and the newer ideal of nationality, a distinction which becomes quite explicit in the d'Antraigues letter. The former is the exclusive patriotism which makes the citizen regard with enmity all who are not of his own nation, and to this—whatever Rousseau himself may have said—the author of the letter very definitely prefers what he calls *l'amour du pays natal*, that sentiment which, springing from our earliest associations, from the soil on which we live, from the affection with which we are surrounded in childhood, from the ideals of youth, and the aspirations of manhood, is a natural growth and knows nothing of the artificial hatreds and wars of governments and states. Whether Rousseau himself ends

[1] *Nouv. Hél.*, vol. IV, p. 205.

[2] *Œuvres*, vol. V, pp. 433-4: *Émile*, V.

here, or whether we are indebted to d'Antraigues for drawing the conclusion, it is only just to observe before we leave this subject that his national principles could lead as naturally in this direction as they could in the direction of that fanatical nationalism which by adopting the worst vices of imperialism seems to provide itself its own condemnation.

CHAPTER VII

THE ECONOMIC IDEAL

I. *LUXE:* ROUSSEAU AGAINST VOLTAIRE

If we confine our attention exclusively to political matters we necessarily fail to understand Rousseau's ideas to the fullest degree. He is in truth as much a social as a political reformer. Fundamentally, despite the impression one is apt to disengage from the *Contrat social*, the individual interested him more than the state. Even in dealing with the General Will, as we have tried to show, he is concerned with the community of individual wills and not with any supposed super-will of society. His national ideals may seem to sacrifice the individual to the nation, but even here without the individual the nation is nothing, it exists but for the spiritual well-being of its members. To reach the heart of Rousseau's conception of society, then, we must come down to the life of the individual, and this, as he is one of the first to recognize, is determined as much by economic as by political considerations. Rousseau was not of course a professed economist, but that did not prevent him from having definite ideas on the economic structure of society. These ideas are, however, based primarily on considerations of a moral order; in fact he completely passes by the strictly economic point of view. Just as in the political field his object is neither power nor sovereignty, so here what he is concerned with is not the maximization of

wealth, whether of individuals or of the community, but the achievement of the good life. To determine what constitutes in practice the good life necessitates having a certain scale or standard of social values, and in working this out Rousseau begins, as he does in the political order, with an initial judgement on the society he had in front of him.

Whether it be attributed to his bourgeois origins, to his early training in vagabondage, his experience as a lacquey in Italy, the comparative ill success of his first attempts to enter the Parisian literary world, his alleged *gaucherie* in the salons of the great, or finally to a native ingredient in his character, not to be traced to any particular set of circumstances but belonging to the nature of the man himself, whatever be the cause, he exhibits consistently an attitude of distrust and suspicion towards the rich and the powerful. It can be found in a poem of 1742,

> Quoi! de vils parchemins, par faveur obtenus,
> Leur donneront le droit de vivre sans vertus![1]

A year before this he had written himself down a proud republican, who repulsed the arrogant patronage of the rich.[2] In a somewhat later poem he exclaimed,

> Point de Crésus, point de canaille;
> Point surtout de cette racaille,
> Que l'on appelle grands Seigneurs,
> Fripons sans probité, sans mœurs,
> . . .
> Mangeant fiérement notre bien;
> Exigeant tout, n'accordant rien.[3]

[1] *Œuvres*, vol. XIII, p. 420: *Épitre à M. Parisot*, 1742.
[2] *Id.*, vol. XIII, p. 413: *Épitre à M. Bordes*, 1741.
[3] *Id.*, vol. VIII, p. 204: *Épitre à M. de l'Etang*, 1751.

Such outbursts are more significant than the attack on inequality in the Second Discourse, which might otherwise be explained away as a literary exercise, as indeed contemporary opinion seems to have regarded it. The absence of any attempt to suppress a work so extreme in its criticism of social institutions and so violent in its language can only be accounted for on the assumption that for a long time few of its readers realized that it was meant to be taken in earnest. Even to-day apologists have tried to discount the significance of his diatribe against inequality, to write it down as a simple *boutade*. But it is borne out by everything he wrote on the subject, and finally by his life itself. "Tous les avantages de la société," he complains bitterly, "ne sont-ils pas pour les puissants et les riches?"[1] In this field we cannot fail to describe Rousseau as a revolutionary. Here at least he was the Jean-Jacques of legend, whose whole life was a protest against a system of society which he regarded as thoroughly rotten, a declaration of war against the established order.

To treat Rousseau's campaign merely as an attack on a certain literary clique or a particular social caste, is to do him an injustice; nor is it even enough to say that he was attacking a whole system of social relationships. Essentially, it was not the system that tolerated a privileged and worthless *noblesse*, but the whole attitude to life of his contemporaries which revolted him. His quarrel with society in fact was that it had one standard of values and he had another.

[1] *Pol. Writings*, vol. I, p. 267: *Écon. pol.*

The eighteenth century was undoubtedly an age of 'materialism,' and Rousseau, as is usual with those who are in revolt against the corruptions of society, appealed to the ideal of natural simplicity; but it will not do to jump to the conclusion that his protest was ascetic in inspiration, or based on any rooted hostility to material comfort. It was based partly on a sense of the injustice and the inequality with which material benefits were distributed, partly on the feeling of indignation at the corruptions, the worthlessness of the society so unfairly endowed, but most of all on a profound conviction of the undesirability and even the wickedness of what the eighteenth century called *luxe*. On this point Rousseau came into conflict not only with the actual practice of the times, but with the economic theory of the physiocrats, and with the greatest of his enemies the conscious advocate of luxury, Voltaire, whose poem, the *Mondain*, is the most famous of all its panegyrics.

> J'aime le luxe et même la mollesse,
> Tous les plaisirs, les arts de toute espèce;
> La propreté, le goût, les ornements.
> Tout honnête homme a de tels sentiments.

We must accept this as summing up Voltaire's attitude, even if the poem as a whole cannot be held to represent fairly his more mature moral theory. Moreover there is nothing out of the way in these views. Even Montesquieu, although occasionally seeming to praise simplicity of manners, as in the legendary history of the Troglodytes,[1] elsewhere appears much more

[1] *Lettres Persanes*; *cf. Esprit des Lois*, bk. VII, ch. II.

strongly as a defender of the luxuries of civilization.

Despite, or possibly because of the criticism of Voltaire and the *philosophes*, Rousseau maintains his position consistently, and sometimes with apparently undue severity. From one of his outbursts, however, we can gain an insight into the reasons for which he took up such a definite stand. "On croit m'embarrasser beaucoup," he writes, "en me demandant à quel point il faut borner le luxe. Mon sentiment est qu'il n'en faut point du tout. Tout est source de mal au delà du nécessaire physique. . . . Il y a cent à parier contre un, que le premier qui porta des sabots était un homme punissable, à moins qu'il n'eût mal aux pieds."[1] In spite of the conscious exaggeration of his illustration it is clear that the distinction Rousseau is drawing is between what is necessary for physical well-being and the luxuries which complicate life without, in his opinion, making it any better. Ultimately it is not the actual luxury in itself to which he objects so much as the attitude of mind it implies. Therefore he can agree that it is not to be extirpated by sumptuary legislation. "C'est du fond des cœurs qu'il faut l'arracher," he concludes, "en y imprimant des goûts plus sains et plus nobles. . . . Les lois somptuaires irritent le désir par la contrainte plutôt qu'elles ne l'éteignent par le châtiment."[2] In the end Rousseau must be classed as fundamentally a moral reformer, and when he denounces *luxe* Calvinist Geneva can rightly claim him as one of her sons.

[1] *Œuvres*, vol. VII, p. 150: *Dernière réponse à M. Bordes.*

[2] *Pol. Writings*, vol. II, p. 437: *Gouv. Pol.*

The attack on *luxe* is obviously connected with the idea of the return to nature. Economically 'back to nature' means back to the pastoral and agricultural existence. "La condition naturelle à l'homme est de cultiver la terre et de vivre de ses fruits."[1] After agriculture Rousseau would rank the necessary village crafts such as those of the blacksmith and the carpenter.[2] He is particularly an enemy to the life of the cities. Men were not made, he believes, to be heaped up like ants in great cities, where the physique is enfeebled and the manners corrupted, and where the race would perish if it were not constantly renewed from the country.[3] Hence, as his tutor instructs Émile, one of the ways in which a good man can offer an example to his fellows is by himself following the simple, rural life, the most natural and the happiest for those who have not been demoralized by the society of the towns.[4] It is not on account of any economic virtues that Rousseau upholds this ideal. He puts it forward on the ground of morality. Even more, we may be allowed to suspect, did the sentimental memories associated with the life he had led in the countryside endear it to him. "Elle me transporte dans des habitations paisibles, au milieu de gens simples et bons, tels que ceux avec qui j'ai vécu jadis. Elle me rappelle et mon jeune âge, et mes innocents plaisirs."[5]

The attack on *luxe* is hardly an economic idea, then;

[1] *Nouv. Hél.*, vol. IV, p. 18.
[2] *Œuvres*, vol. IV, pp. 329–30: *Émile*, III.
[3] *id.*, vol. IV, p. 48: *Émile*, I. [4] *id.*, vol. V, p. 435: *Émile*, V.
[5] *Confessions, etc.*, vol. III, p. 247: *Promeneur solitaire*, VII.

but if we turn to consider the positive economic principles of Rousseau, one finds that they are if anything more uncompromising than those of Calvin himself. He condemns finance and commerce whole-heartedly, regards the rentier as little better than a brigand, would abolish money, return to a system of barter, endow the state with a large public domain to avoid the necessity for taxes, and in so far as anything more might be needed for the public service take it in the form of *corvées*. He is thus not undeserving of the title of reactionary utopist, even if in stigmatizing the menace to the democratic state represented by the powers of finance he was not wholly mistaken. When he put forward his extremest ideas, we must remember, he was legislating for Corsica, a small, primitive and isolated community. The *Poland* is in this and in many other respects much more moderate. We must remember also that Rousseau draws his economic ideas partly from the comparatively undeveloped Swiss communities, and partly from the ancient city state, particularly Sparta, the example of which, he says, he will never tire of quoting;[1] and he is applying them to the even more primitive society of Corsica. In the extreme form in which they were expressed in his proposals for a constitution for Corsica they exercised little or no influence, and although Rousseau doubtless intended them quite seriously we cannot regard them as of permanent value. Their exaggeration and impracticability merely detracted from the real moral force of his crusade.

[1] *Œuvres*, vol. VI, p. 595: *Lett. à d'Alembert.*

2. THE IDEAL OF EQUALITY

It is far otherwise with Rousseau's attitude towards the idea of property, which is of necessity closely connected with those fundamental questions of the political organization of society which concern him so much. To begin with, we have to reckon with the sweeping attack on property in the Second Discourse. It is not so difficult to fit this in with Rousseau's later views on the same subject as is sometimes supposed. Property is criticized by him as the source of inequality and of civil society, but just as he nowhere suggests abolishing society in order to return to a state of primitive virtue, so he does not propose to do away with property. He begins by thinking such a reversion impossible, and goes on to prove it undesirable. Civil society he has come to consider good because it is the source of men's moral feelings, and the property system may have equally fortunate results. Even in the Second Discourse what had aroused his antagonism were not social institutions in themselves, but the inequality resulting from them. Hence, as he directs his political thought to the preservation of political equality before the law, so in his economic writings he upholds economic equality.

He presupposes that the regulation of property, as of all other social institutions, is in the discretion of the legislative power. The sovereign has no right to touch the possessions of a particular individual or of one section of the community, but it has every right, according to Rousseau, to deal in any manner

with the property system as a whole. When to this we add the rule laid down in the Project for Corsica, that the property of the state should be as extensive as possible and that of individuals on the contrary strictly limited,[1] and then recall to our minds the declarations in the *Économie politique* of the sacredness of property, we can understand why Vaughan declares that between the latter work and the essay on Corsica Rousseau has evolved from Lockian individualism to something hardly to be distinguished from socialism.[2]

And yet it is not so difficult to reconcile the two statements of his principles: for he never abandons the doctrine that property is or should be sacred. Is it not one of the first lessons that the careful tutor teaches the young Émile?[3] The happy effects of proprietorship are shown in the *Nouvelle Héloïse* by a comparison of the prosperity of the Vaud with the misery of Chablais. "C'est ainsi, lui disais-je que la terre ouvre son sein fertile et prodigue ses trésors aux heureux peuples qui la cultivent pour eux-mêmes." On the other hand the poverty, the half cultivated fields on the opposite slopes bear witness that slaves there till the land for an absentee master.[4] This is the argument from experience. The theoretical justification that Rousseau offers for private property is practically identical with that of Locke: the right of property is created when labour is mixed with the products of nature, which in their natural condition

[1] *Pol. Writings*, vol. II, p. 337: *Proj. Corse.*

[2] *Du Contrat social*, ed. Vaughan, 1918, p. 133.

[3] *Œuvres*, vol. IV, pp. 126–9: *Émile*, II.

[4] *Nouv. Hél.*, vol. III, p. 280.

are the common property of all mankind. "L'idée de le propriété remonte naturellement au droit de premier occupant par le travail."[1]

Locke apparently never realized the difficulty of getting from what was to be later the somewhat dangerous labour theory of value to the highly complicated, artificial property system of Western Europe. Rousseau equally fails to remark the difficulty, but for the simple reason that he does not attempt to effect the transition. It is sometimes assumed that the Second Discourse represents an extreme view on social questions which Rousseau disavowed later. But he is no less emphatic in the *Émile*. "Celui qui mange dans l'oisiveté ce qu'il n'a pas gagné lui-même, le vole; et un rentier que l'État paye pour ne rien faire ne diffère guère, à mes yeux, d'un brigand qui vit aux dépens des passants. . . . Travailler est donc un devoir indispensable a l'homme social. Riche ou pauvre, puissant ou faible, tout citoyen oisif est un fripon."[2] With this to guide us it should be clear that when Rousseau speaks of the sacredness of property he has in mind only such property as he considers morally justified. It is the property of the individual worker, of the peasant proprietor or the craftsman, that he is anxious to safeguard.

Moreover his theory of property differs from Locke's in that it is modified by the ideal of equality. Now property has a tendency to accumulate and become unequal, especially if one admits an unrestricted right

[1] *Œuvres*, vol. IV, p. 130: *Émile*, II.
[2] *id.*, vol. IV, p. 329: *Émile*, III.

of inheritance. It is in this connection that Rousseau sees the necessity for the intervention of the state. "C'est précisément parce que la force des choses tend toujours à détruire l'égalité, que la force de la législation doit toujours tendre à la maintenir."[1] Incidentally we may note that he does not base his argument on any visionary idea of human goodness, or suppose that a condition of approximate equality, even assuming it established, could be maintained without constant effort. In predicating the principle of equality he has in mind his ideal state, but what he says on this subject in the *Émile* does not lead one to suppose that he has much hope of seeing it put into practice. He confesses there that the universal tendency of the laws of all countries is to favour the strong against the weak, that the many are always sacrificed to the few and the interests of the community to those of individuals.[2]

Rousseau's economic equalitarianism, then, is not that sentimental faith in the natural equality of all men which represents only too often an inability or unwillingness to face unpleasant facts. Even the desire for social justice does not provide his initial motive. Primarily he supports the principle of economic equality because he considers it necessary for the proper political functioning of his ideal state. But where his ideas differ most from those of later advocates of equality is that he does not propose to bring it about by the proletarianization of all citizens. He was a revolutionary

[1] *Pol. Writings*, vol. II, p. 61 : *Con. soc.*, II. xi.
[2] *Œuvres*, vol. IV, p. 409 n. : *Émile*, IV.

in so far as he wished for the abolition of aristocratic privilege and the power of wealth; but looked at from the broader historical standpoint this did not imply the social revolution as it has been understood later, but rather the continuance and completion of that political revolution which began when feudalism was first repulsed from Swiss mountain retreats and Flemish city walls. Politically, Rousseau believes in the small owners of property, the middle classes, because he believes that it is only on them that the rule of law can be imposed with any hope of success. The laws, he says, are equally powerless against the treasures of the rich and the misery of the poor. Up to a point he allows that a moderate inequality is not necessarily harmful. In a monarchy it may be completely indifferent, but in a republic wealth will put its possessors above the laws and hence ruin the state?[1] It is worth noting that he arrives thus at a conclusion which is also very strongly upheld by Greek political philosophy. When, combined with this ideal, is the conviction, which plays so important a part in the upbringing of Émile, of the moral value of work, above all of manual labour, the resulting social theory can certainly not be a mere justification of things as they are.

Given the force of these views, it may astonish us that the *Discours sur l'inégalité* met with so little opposition, except from the *jejune* critics of 'back to nature,' who took Rousseau quite literally and demanded why he did not retire to the woods or crawl

[1] *Pol. Writings*, vol. I, p. 254: *Écon. pol.*; *cf. Œuvres*, vol. VI, p. 571: *Lett. à d'Alembert.*

about on all fours. But in fact these ideas on property were not exclusive to Rousseau, although perhaps expressed by him with greater force and literary power than by any other contemporary writer. Montesquieu, who, although attacked for his religious ideas, was certainly not regarded as socially subversive, has practically the same theory of property as Rousseau. In the works of many other writers, for instance, Raynal, Mercier, Mably and Helvétius, are to be found similar ideas, sometimes even in a more extreme form. "At bottom," to adopt the conclusion of Espinas, "a single social conception possesses these writers, in appearance so diverse. It is, in the language of d'Argenson, that of a 'ménagerie d'hommes heureux,' of a little equalitarian republic, where the state regulates wealth at its pleasure, distributes land and dictates services to be demanded, presides over exchange, and takes care that there are on its territory neither rich nor poor nor idle."[1]

Only on one point can we suggest a difference between Rousseau and these writers, in so far as he meant what he said, whereas for most of the others one cannot but suspect that equalitarian theories were little better than an academic exercise. Lichtenberger, in his conscientious study of socialism in the eighteenth century, concludes, indeed, that Meslier was the only genuine social revolutionary amongst them. If we would not insist on that title for Rousseau, at least we would claim that his ideas on this subject were something more than a reminiscence of the classics,

[1] Espinas, *op. cit.*, p. 91.

that they were meant to have a practical effect, as indeed they did. Faguet takes Fourier, whom he regards as the immediate heir of Jean-Jacques and at the same time the first of the socialists, as proving that all the socialist movement of the nineteenth century can be attached directly to the doctrines of Rousseau, but one cannot help feeling that this is to attribute to Fourier a place which he is hardly of sufficient stature to fill. In general terms, one can say that the *Discours sur l'inégalité* became, as might have been expected, a more revolutionary work in the hands of the socialists of the next century, some of whom in addition may have built up their theories on the political basis provided by Rousseau's theory of the state, but that at bottom his ideas involved a recognition of the value of private property, which is as difficult to reconcile with the theory of socialism as with the practice of the capitalist state.

3. THE MIDDLE CLASSES

What gives its peculiar quality to Rousseau's social thinking is that, as Taine and Brunetière among others have remarked, he was born of the people, and was never assimilated by the literary world or by the high society he frequented, in which lay his greatest difference from the fashionable writers, of whom Voltaire is *par excellence* the type. "Voltaire," says Brunetière, "n'a jamais su ce qui se passe dans l'âme d'un paysan, d'un homme du peuple, d'un laquais, d'une fille d'auberge, ce qu'ils ruminent silencieusement de colères et de haines, ce qui gronde sourdement en

eux contre un ordre social dont leurs épaules sentiraient bien encore, à défaut de leur intelligence, qu'ils portent eux seuls tout le poids. Rousseau l'a su, et il l'a su par expérience, et il ne l'a pas dit,—il l'aurait plutôt caché, s'il l'avait pu,—mais toutes ces rancunes ont passé, pour le grossir et le gonfler, dans le torrent de son éloquence; et Voltaire non plus ne l'a pas dit, mais il l'a bien senti, et qu'il y avait autre chose là-dessous qu'une déclaration d'auteur, et que c'était une déclaration de guerre."[1]

When Rousseau moved in the fashionable world it was as an alien. He looked at the *noblesse* only to condemn it. "Mortelle ennemi des loix et de la liberté qu'a-t-elle jamais produit dans la plupart des pays où elle brille, si ce n'est la force de la Tyrannie et l'oppression des peuples."[2] The cause of his attitude was not, as the cruder type of critic has alleged, that his boorishness brought social failure on him: a good deal of evidence attests his personal charm and his success in the salons of the great. There was something more fundamental in it. Whatever his private feelings, there is in his judgement on society something of the harshness of the puritan. "L'élégance lui déplaît," writes Taine drastically, "le luxe l'incommode, la politesse lui semble un mensonge, la conversation un bavardage, le bon ton une grimace, la gaieté une convention, l'esprit une parade, la science un charlatanisme, la philosophie une affectation, les mœurs une pourriture."[3]

[1] F. Brunetière, *Études critiques sur l'histoire de la littérature française*, 3e *série*, 1887, p. 277.

[2] *Nouv. Hél.*, vol. II, p. 217.

[3] H. Taine, *L'ancien régime*, pp. 294–5.

In some features at least of this sweeping condemnation there was an element of justice. Despite the charm of the society that built the Petit Trianon and played at shepherds and shepherdesses in the little hamlet of Marie Antoinette, there was an immense fund of the trivial and worse for the critic to draw upon. Rousseau, of course, like most other puritan reformers, condemned indiscriminately the good with the bad. Moreover certain deficiencies in his mental make-up, notably his lack of the saving grace of humour, and a singular absence of appreciation for any of the arts other than literature and music, prevented him from seeing the more amiable side of the life of fashionable society.

The obverse of Rousseau's contempt for the *monde* is his admiration for the people, in which again he is at odds with Voltaire, for whom the people are never better than *canaille*. For him, on the other hand, "C'est le peuple qui compose le genre humain; ce qui n'est pas peuple est si peu de chose que ce n'est pas la peine de le compter." "Respectez donc," adds his tutor to Émile, "votre espèce; songez qu'elle est composée essentiellement de la collection des peuples, que quand tous les Rois et tous les Philosophes en seraient ôtés, il n'y paraitraît guère, et que les choses n'en iraient pas plus mal."[1] Truly has it been said that there is no writer more fitted to make the poor proud.[2]

Thus to Rousseau's political democracy we are

[1] *Œuvres*, vol. IV, pp. 386, 8: *Émile*, IV.

[2] Sainte-Beuve, *Causeries du lundi*, 3rd ed., s.d., vol. III, pp. 79–80.

compelled apparently to add a demand for social equality in the name of the people. We have still to ask what Rousseau means when he talks of the people. It is, for instance, in the mouth of such a writer as Burke a term of rather limited scope. Similarly, despite all his democratic sympathies, Rousseau is not to be taken quite literally. He does not mean by the term "une populace abrutie et stupide, échauffée d'abord par d'insupportables vexations, puis ameutée en secret par des brouillons adroits, revêtus de quelque autorité qu'ils veulent étendre."[1] Riches and poverty, as wé have already said, were alike dangerous to that rule of law which is Rousseau's most dearly held ideal. "Le riche tient la Loi dans sa bourse, et le pauvre aime mieux du pain que la liberté."[2]

By its very nature the position Rousseau takes up is one of hostility to extremes. How moderate his practical ideas were is shown by his remarks in the *Constitution de Pologne* or the *Lettres de la Montagne*. As Beaulavon points out, the *Conseil général* of Geneva, which included all the citizens, during the eighteenth century never had more than sixteen hundred members, yet Geneva represents the closest approximation in practice to Rousseau's ideal republic, and he has no idea of increasing the citizen body, the bourgeoisie of Geneva, in praise of whom he writes so eloquently, —"La plus saine partie de la République, la seule qu'on soit assuré ne pouvoir, dans sa conduite, se proposer d'autre objet que le bien de tous."[3] We do

[1] *Pol. Writings*, vol. II, p. 283: *Lett. Mont.*, IX.
[2] *id.* [3] *id.*

not need to be reminded how Rousseau prided himself that he sprang from that same bourgeoisie, and could sign himself citizen of Geneva. How pathetic, in a sentimental vein, the close of the first book of the *Confessions*, where Rousseau looks back on what might have been his life had he stayed in his native city and pursued an honest bourgeois craft! For a time the lure of Paris had led him to adopt the fashionable habits in which the men of letters aped the aristocracy, but this only makes the more striking his renouncement after his so-called conversion. Of this last we can at least say that it was no mere literary gesture. However worthless his life had seemed previously, from now on his way of living changed. Abandoned were his social ambitions, not—it is only fair to observe—because of lack of success. Discarded his gold braid and ornaments, his sword, his white stockings, his fashionable perruque, and in their place he adopted the garb of the lower middle classes. He rejected henceforth the financial help of patrons, renounced the sinecure they had obtained for him and in the end came to earn his living in the way of his fathers by the pursuit of the only craft he knew, the copying of music. Henceforth he almost overzealously guarded his financial independence. He took Thérèse to live with him and finally went through a ceremony of marriage with her. With a harsh insistence he cut himself off from the world of society, and was content in the last years of his life to sink back into the obscurity of a humble bourgeois existence.

His idea not only of civic, but also of private virtue,

is written almost exclusively in terms of middle-class life. The middle classes are for him the salt of the earth. Even when he aims at something more aristocratic, as in his description of the household of Julie and Wolmar, though they own a great estate, and rule their servants and tenants in a patriarchal fashion, the existence Rousseau paints is one of bourgeois simplicity and domestic virtue. Inspired partly by Richardson, himself a eulogist of bourgeois life for whom he had the greatest admiration, Rousseau himself was one channel, says Sainte-Beuve, by which were introduced into French literature the feeling for the home and family and the middle-class virtues which formed so important an element in the ideas of the sentimental school of writers. One might almost argue that the whole sentimental movement in literature was essentially middle class. "Ces races aristocratiques et fines, douées d'un tact si exquis et d'un sentiment de raillerie si vif, ou n'aimaient pas ces choses simples, ou n'osaient pas le laisser voir. Leur esprit, nous le connaissons de reste et nous en jouissons; mais où est leur cœur? Il faut être bourgeois, et de province, et homme nouveau comme Rousseau, pour se montrer ainsi sujet aux affections du dedans et à la nature."[1]

In spite of the ridiculous side that there undoubtedly was to sentimentalism, as to the return to nature with which it was closely allied, it sounded the death-knell of the elegant but somehow worthless French society of the eighteenth century. In innumerable ways it

[1] Sainte-Beuve, *op. cit.*, vol. III, p. 83.

revolutionized social ideals; and to a considerable extent even the practices of society were affected by middle-class manners. We find appearing a new simplicity of dress, utilized in revolutionary days as an excuse for fresh extravagances; an only partly serious esteem for manual labour, that made Louis XVI a more successful locksmith than king; a revival of rustic life, with every courtier as a shepherd and every courtesan a shepherdess, the nursing of babies by their own mothers, proud to display publicly their maternal virtues; and finally the re-habilitation of marital fidelity as something more than a sign of eccentricity.

The distinction between the ideals of the middle classes and those of the aristocracy is patent: what needs to be emphasized equally is that Rousseau's standards are all through those of the bourgeoisie and not in the least those of the *sans-culottes*. All his admiration for the people, all his zeal for democracy, stops dead the moment the limits of the middle class are reached, the moment, that is, that we come to the unpropertied. Some at least of the socialist writers of the nineteenth century have seen this fact and condemned him accordingly. "En deux mots," states Proudhon, "le contrat social, d'après Rousseau, n'est autre chose que l'alliance offensive at défensive de ceux qui possèdent contre ceux qui ne possèdent pas."[1] He defines it as, "le code de la tyrannie capitaliste et mercantile."[2]

This is not entirely fair, it is certainly not the whole truth. Granted that Rousseau's ideals were

[1] Proudhon, *Œuvres complètes*, vol. II, p. 191. [2] *id.*, vol. II, p. 194.

bourgeois, that he himself at heart always remained the citizen of Geneva, there is a wide gap between this ideal and a social system based on the conjunction of vast capitalist wealth on the one hand with an immense proletariat on the other. Rousseau liked neither the over-rich nor the over-poor. He represented truly that ideal of the Revolution which was to triumph with the achievement of peasant proprietorship. Whether it be attributed to his influence or not, in nothing were Robespierre and the Jacobins so much the disciples of Rousseau as in their championship of the small owners of property against both the rich and powerful and the propertyless. When, in the *Lettre à d'Alembert*, he wished to picture an ideal society it was to his recollection of a district in the neighbourhood of Neuchâtel that Rousseau turned. There, he said, you might see scattered farms, each in the centre of its fields, approximately equal in extent, as were the fortunes of their proprietors, where a prosperous peasantry, immune from taxes and *taille*, *subdélégués* and *corvées*, cultivating their lands in summer, and in winter occupying themselves in rural handicrafts, were free from the struggles and emulation, as from the temptations of the larger world.[1] With all the defects of character so often attributed to the small owner of property, the state based on the peasant and the craftsman, that is, on individual workers owning the means of their economic independence, possesses certain elements both of political freedom and of stability for which it is not easy to

[1] *Œuvres*, vol. VI, pp. 499–500: *Lett. à d'Alembert.*

find a substitute. To have a field, a workshop, a patch of land and a house of one's own, is a kind of ideal, too, and one that is not easily rooted out once it has taken hold of a people. "C'était un rêve, un rêve de Jean-Jacques, sur lequel depuis plus de cent cinquante ans se sont attendries d'innombrables générations de petites gens. 'Une maison blanche, avec des contrevents verts. . . .' "[1]

[1] *Le Temps*, April 24, 1933.

CHAPTER VIII

JEAN-JACQUES ROUSSEAU AND THE MODERN POLITICAL MIND

I. 'BACK TO NATURE' AS A BASIS FOR POLITICAL THEORY

Rousseau, we have said, was not a maker of systems: the incompleteness of his political thought is patent. For this reason it is somewhat apt to give an impression of patchwork, of patterns unfinished and threads left loose. We have tried to show that, despite this defect, a fairly consistent scheme of political ideas emerges from his works. There is a kind of unity more valuable than that imposed by the desire to create a rigid, definitive system, that which results from the activity of a powerful and original mind, dominated by well-defined intellectual pre-occupations. That Rousseau's thought possesses such unity becomes manifest above all if we consider his ideas in relation to their basic impulse, the partly intellectual, partly emotional motive force inspiring his political enquiry.

If ever writer had a single inspiring idea it was Rousseau. His primary interest was ethical. As has often been observed, he was brought by ethics to politics. The apparent impossibility of achieving his ideal for human life and conduct in the existing condition of society convinced him of the necessity for thinking out afresh their political foundations. In order therefore to appreciate the inspiration of his political writings and understand their underlying unity, we

must discover what more general principle is hidden behind his political thought. The first principle to which we might be disposed to refer is the rule of law. But this is rather a political than an ethical principle, and Rousseau does not uphold it for its own sake, but because only by accepting the sovereignty of the law can man in the civil state free himself from the oppression of tyrants and the encroachments of his fellow-citizens. One might suggest next that his ideal is freedom. Yet in the *Contrat social* we find the primitive idea of freedom greatly restricted, and in fact natural liberty, as he recognizes, cannot exist once men have agreed to live together in a state. If we reflect on the careful moral training of Émile, the patriarchal *régime* of the *Nouvelle Héloïse*, the civic discipline of the *Contrat social*, the patriotic sacrifices demanded in the *Corsica* and the *Poland*, we can hardly accept the idea of liberty as by itself a sufficient explanation of his political system. Indeed we may say that the note which is sounded throughout Rousseau is the very opposite of unrestrained freedom. His revulsion against tyranny does not lead him to the glorification of anarchy, but rather to the idea of a self-imposed, voluntarily accepted discipline, which brings us back to the political ideal of the rule of law.

For a principle which applies to the fundamental bases of individual psychology we have to turn to another element in his writings, the idea of nature, a contrary but not hostile strand, which with the idea of law may be said to form the warp and the woof of the fabric of his thought. Burke's criticism of the

metaphysical politicians, that, "they are so taken up with the rights of man that they have totally forgotten his nature," is precisely that which is least applicable to Rousseau, who in fact is not particularly concerned with the rights of man, but is obsessed with the idea of following Nature, included in which of course is human nature. The ideal roughly summarized as the return to nature, provided, as is universally recognized, his original inspiration, and is certainly his most persistently reiterated principle. There was no novelty here: the idea of Nature is the keynote of all eighteenth-century thought. Only, of course, the term changed its meaning in the latter part of the century and for its transformation from a dead mechanical conception into a vital principle Rousseau more than any other was responsible. He it was who rescued the idea of Nature from the jargon of the schools and made it the ethical, political and artistic inspiration of a whole generation.

The idea of Nature is inevitably less prominent in Rousseau's political than in his other writings, and for this reason some students of Rousseau have been disposed to put the one group in opposition to the other, and even to assume the existence of an irreconcilable contradiction. But though in the civil state man has necessarily turned his back on the absolute freedom of the state of nature, the change in his condition is not otherwise equivalent to a change in human nature; and one might present Rousseau's main problem as that of finding institutions which would reconcile the psychological needs of the individual born

for the state of nature, with the 'unnatural' demands of social life. In achieving this adjustment, his method was, as far as possible, to adapt society to the nature of man, instead of forcing the individual into the mould determined by artificial institutions,—institutions, that is, arbitrarily imposed and derived not from the nature of things but partly from abstract theories and partly from selfish, sectional interests.

We can see at once why as a result of his interpretation of the idea of Nature Rousseau's ideas seemed to go deeper than those of the *philosophes*. They directed their campaign for the reform of social institutions very successfully against the aberrations resulting from the self-interest of the privileged classes, clergy and *noblesse*, but in laying down constructive bases of a new social policy they were less successful, partly because of the limitations of their interpretation of human nature. On the whole their psychological theory was still that of Locke, which in some respects, indeed, had been made narrower. Man interested them only as a rational and utilitarian animal. Of course, one can easily find exceptions, and very important ones, to this statement. Diderot was certainly not unaware of the part played by the passions in the operation of the human mind, while for Voltaire most men were fools, at best; but little coherent political doctrine can be obtained from such writers. We cannot even claim that the *philosophes* supplied an element lacking in Rousseau's thought, for he, as we have shown, was for his part fully aware of the importance of the utilitarian principle. Is not *amour de soi* the first in-

stinct which he recognizes in man, and one of which, —so long as it is confined to the natural interests of the individual,—he entirely approves?

But for Rousseau, with the birth of *amour propre*, —that sentiment which only allows us to be happy in so far as we are in one way or another better off than our neighbours,[1]—the degeneration of natural man, his breaking away from the rule of nature, has commenced; because from this comes inequality,— not the natural inequality of the stronger over the weaker, but the artificial and functionless inequality resulting from self-pride. On this account social institutions are set up, creating artificial advantages of wealth and birth, which are perpetuated and intensified from generation to generation. Society once established on a false principle, the evil manifests itself in every phase of its activity. Pride and emulation become its motive forces. Instead of a life lived in peace and harmony we find a constant struggle of individuals, each attempting to get the better of his neighbours. The object of life becomes the acquisition and display of wealth and power, and the attempt always to outstrip one's fellows in ostentation is the ruin of all good taste. Simple comfort becomes a sign of social inferiority. Honest morals and natural courtesy are sacrificed to an artificial and meaningless code of politeness. The life of the country is despised and the situation of a worthless lacquey or a penniless courtier preferred to that of the peasant or the country gentle-

[1] *Œuvres*, vol. XI, p. 22: *Rousseau juge de Jean-Jacques, Première Dialogue.*

man. And as society becomes more and more complicated and artificial, all natural pleasure is lost, and the ultimate result of the dominance of *amour propre* is the absolute reverse of that maximization of happiness which is the end of utilitarianism.

We must admit then that Rousseau is a utilitarian with a difference. His application of the principle of utility varies from that of the *philosophes* because he has a different idea of what constitutes human happiness, in other words, to return to the point from which we started, a different conception of human nature. His argument against utilitarianism as a complete explanation of political life is, to put it briefly, that men, corrupted by self-pride and evil institutions, do not obey its principles. "Presque tous les hommes," he writes to the elder Mirabeau, "connaissent leurs vrais intérêts, et ne les suivent pas mieux pour cela."[1]

The 'return to nature' thus involved a rejection of both the psychological ideas of the *philosophes*, and the prevailing code of social behaviour. One motive to which has been attributed Rousseau's criticism of society and its institutions is the feeling that all social ties confine and pervert the natural man, but this is the view only of his more pessimistic or paradoxical moments. Certainly he finds a hidden opposition between the constitution of man and that of the societies in which he lives.[2] His deeply rooted personal conviction that human psychology is not well adapted to find contentment in the complicated civilization

[1] *Pol. Writings*, vol. II, p. 160: *Lett. à Mirabeau*, July 26, 1767.

[2] *Œuvres*, vol. XI, p. 238; *Rousseau juge de Jean-Jacques. Second Dialogue.*

of the great state and under conditions of life that can truly be called unnatural, has not become less patently true since he wrote. But no one who believed that society was in the nature of things destined to be corrupt could have written the *Contrat social*, or the latter part of the *Nouvelle Héloïse*. To have denied at least the bare possibility of some approximation to the ideal society of which he dreamed would have driven him to despair. What he says of the evil effects of society on the natural man, for instance in the *Émile*, we must take most often as a criticism of the society of his own day. 'Back to nature' does not necessarily mean the abolition of all social life, nor does it mean a return to the life of the savage prowling shelterless about the woods and living on acorns,—Rousseau was too fond of bourgeois comfort for that. "Comment savez-vous," he wrote indignantly, "que j'irais vivre dans les bois si ma santé me le permettait, plutôt que parmi mes concitoyens, pour lesquels vous connaissez ma tendresse? . . . Le sage même, s'il en est, n'ira pas aujourd'hui chercher le bonheur au fond d'un désert."[1] If the misanthropical strain grew stronger in him in his last years, that is to be attributed to his mental troubles and the persecution which drove a sensitive and unstable mind across the borders of sanity, rather to any philosophical condemnation of the principle of social life. On the other hand it does not seem to us correct to go to the other extreme and link Rousseau's return to nature with the idea of perfectibility instead of primitivism: the idea of

[1] *Lettre à M. Philopolis*, 1755.

progress is one which we certainly cannot attribute to him.

There is, in the last resort, only one way of interpreting the idea of nature, this basic principle of Rousseau's thought. The actual objective existence of the state of nature concerns him not at all; he finds its reality in the mind of man, for its essential principles are "gravés en nous en caractères ineffaçables."[1] When he invokes the return to nature he implies on the one hand that there is a certain permanent set of instincts or tendencies which can be called human nature, and which are capable of harmonious development, and on the other hand that human nature is constructed for a certain kind of environment, comprising in the main a simple agricultural existence. There is further implied the judgement that the development of human nature in its appropriate environment and unperverted by evil institutions is by the nature of things good. Thus the conception of natural man provides Rousseau with an ideal, a standard by which to measure social and political institutions. We have already mentioned some of the practical conclusions as to the good life which he draws, particularly in the economic field. But it is when we go to the root of the matter that we find why the ideal of the return to nature affected so intimately his whole social and political outlook, and was at the same time the source of the bitterest and most pertinacious criticism he has had to suffer.

He was fully conscious himself of the significance

[1] *Cf.* F. Vial: *La doctrine d'éducation de J.-J. Rousseau*, 1920, pp. 60–6.

of the issue he was raising. He takes his stand fairly and squarely with those who believe in instinctive human nature. Man in society, he recognizes, needs a careful moral discipline, and such he provides for Émile, but his training is always directed to the drawing out and harmonious development of innate tendencies. It is education with nature, never against nature. It is easy, of course, to find flaws in Rousseau's argument. The cynic may say that the goodness of human nature is easy to prove on his method: if any element in human character seems bad to him he simply assures us that it is not natural. Again, a natural instinct, we might argue, is no more than an "inherited tendency to behaviour," neither good nor bad in itself. Rousseau's psychological technique was doubtless rudimentary, but even so one cannot help feeling that perhaps he was a more skilled observer of the human heart than are some whose scientific equipment is admittedly greatly superior.

His justification may be put in a different way. We may argue that the natural tendencies of man, whether good or not, are anyhow inevitable, and their satisfaction in one form or another essential to the happiness of the individual, that they must therefore be accepted as data by ethics, the duty of which is not to attempt the impossible, to work against nature by questioning the ethical value of innate tendencies, but to discuss the modes of their operation and the goodness or badness of the different ways in which they may function. Thus Rousseau's championship of instinct against rationalism may appear simply as a

refusal to argue man out of his fundamental nature, and a readiness to accept the instinctive basis of human psychology. That it does not mean discarding the aid of reason to guide and control the operation of instinct, the whole of the *Émile* is proof. Who is the virtuous man, he asks there; and replies, "C'est celui qui sait vaincre ses affections. Car alors il suit sa raison, sa conscience, il fait son devoir, il se tient dans l'ordre, et rien ne l'en peut écarter." . . . "Il ne dépend pas de nous d'avoir ou de n'avoir pas des passions: mais il dépend de nous de régner sur elles."[1] In a letter of 1768 he defines *vertu* as *force*. To be virtuous, he says, is not merely to be just, but to be so in triumphing over one's passions.[2]

As for politics, nowhere, and least of all in the *Contrat social*, does he show any sign of leaving them to the mercy of blind instinct or the passions of the multitude. He might easily be described as extending the Cartesian system to politics. His appeal is throughout to reason, and the only plausible charge against his method is that it is unduly rational. In Rousseau's theory political institutions are still regarded as the work of the intelligence, in fact of such sublime intelligence that it is only to be found embodied in the person of some semi-divine legislator. So far he remains one with Locke and the *philosophes* and a rationalist in politics. It is this that exposes him to the criticism of Morley, a somewhat unexpected champion of the

[1] *Œuvres*, vol. XI, pp. 376, 8: *Émile*, V.

[2] *Corr. Gén.*, vol. XIX, p. 58: January 15, 1769; *cf.* *Œuvres*, vol. XI, pp. 230, 286: *Rousseau juge de Jean-Jacques*, *Second Dialogue*.

sentimental in politics, who, echoing Burke's charge, declares that politics is converted by Rousseau into a "quasi-mathematical science". "Its formulae," he goes on, "are deducible by rigorous logic from a fundamental axiom absolutely independent of time and place. History and observation are simply irrelevant."[1] This indictment, which, as has been observed, can only be made even plausible by concentrating on the *Contrat social* and neglecting all the other political writings of Rousseau, is equally applicable to all writers with any title to be considered political philosophers. Human nature being sufficiently stable for us to attempt to establish general principles of right and wrong, or good and evil, in politics, these must be based not, as Morley assumes, on a complete disregard of the facts, but on observation of the most relevant of all facts, those of human psychology, observed in the first place in the exemplar of which we have the most intimate knowledge, ourselves. Now the only instrument for making this investigation is the reason.

But Rousseau, as we have seen, keeps the reason to its task in discussing political principles. He is under no delusions as to the political nature of man. He is aware that man is a fond, foolish creature, governed mostly by delusions, that the wisest legislators have recognized the limitations of the material in which they worked, and have therefore tried to implant the love of the *patrie* and a knowledge of the duties of citizenship by the emotional appeal in early

[1] J. Morley, *Rousseau*, 1873, vol II, p. 19.

years, when the cold arguments of the abstract reason have no sway. It is one of his most valuable qualities as a political thinker that while admitting the irrationality of man Rousseau still upholds the ideal of reason in politics. Or, to put it the other way round, that the abstract, rational nature of his fundamental argument in the *Contrat social* does not prevent him from acknowledging the necessary emotional elements in political life. On the whole it is true to say that in the age of utility and reason the emotional ingredients in politics were neglected. For their rehabilitation Rousseau certainly deserves, more even than Hume or Burke, the credit or the blame. The human understanding, he claims, owes much to the passions, without the aid of which nothing that is really great can be attained.[1] It is an error, he says, to attempt to discriminate between those passions which can be permitted and those which must be forbidden. All are good when one has the mastery over them, and bad when they enslave us.[2]

His statement in the *Émile* on this issue is, it may be claimed, a complete justification for the interpretation which we are putting forward. "Nos passions," he writes, "sont les principaux instruments de notre conservation; c'est donc une entreprise aussi vaine que ridicule de vouloir les détruire; c'est contrôler la Nature, c'est réformer l'ouvrage de Dieu. . . . Mais raisonnerait-on bien si, de ce qu'il est dans la nature de l'homme d'avoir des passions, on allait conclure que toutes les

[1] *Pol Writings*, vol I, p. 150: *Disc. inég.*; vol. II, p. 168: *Lettre à Usteri*, 1768. [2] *Œuvres*, vol. V, p. 377: *Émile*, V.

passions que nous sentons en nous et que nous voyons dans les autres sont naturelles? Leur source est naturelle, il est vrai; mais mille ruisseaux étrangers l'ont grossie. . . . Nos passions naturelles sont très bornées; elles sont les instruments de notre liberté, elles tendent à nous conserver. Toutes celles qui nous subjuguent et nous détruisent, nous viennent d'ailleurs; la Nature ne nous les donne pas, nous nous les approprions à son préjudice."[1]

However abstract or intellectualist his method may seem in the *Contrat social* Rousseau never ceases to be aware of the basic necessity of establishing satisfactorily the emotional foundations of political society. As early as the *Économie politique* he had drawn the conclusion that the man without passions would certainly be a very bad citizen:[2] while the essay on the constitution of Poland is one long appeal for the bringing in of the motive force of passion to save the state. 'Back to nature,' in so far as it meant 'back to human nature,' was by no means an unprofitable starting-point for a new school of political thought, nor was the new spirit it introduced unneeded. That Rousseau should himself have been able to produce a complete and final explanation of the psychological foundations of politics was hardly to be expected. It is rather to be wondered at that he was able to comprehend so much of 'human nature in politics' as he did.

By indicating the contrast between man's primitive

[1] *Œuvres*, vol. IV, pp. 359–60: *Émile*, IV.
[2] *Pol. Writings*, vol. I, p. 255.

nature and his highly complicated civilized environment Rousseau diagnosed one of the greatest maladies of modern Western civilization. His own solution was not, as is often alleged, to give up the problem as insoluble, and abandon the hope of reconciliation, even though, as we have seen, he detested that side of civilization manifested in the life of the great cities and states, and yearned after the restoration of simpler ways of living. Although society be corrupt, says Rousseau in more optimistic mood, yet a man may live even under the government of a despot comparatively free from individual molestation, and the evil he sees round him will make him love the good. "O Émile! où est l'homme de bien qui ne doit rien à son pays? Quel qu'il soit, il lui doit ce qu'il y a de plus précieux pour l'homme, la moralité de ses actions et l'amour de la vertu."[1] He hoped, by the educational methods he described in the *Émile*, by the political institutions for which he provided the theoretical basis in the *Contrat social*, by the economic principles scattered through his works, but especially to be found in the Project for Corsica, and by the civic and national ideals emphasized in the *Lettres de la Montagne* and the *Gouvernement de Pologne*, to create a form of society in which the man of the state of nature should find himself altered certainly but not nullified, and in place of his lost independence should gain a greater freedom. It is thus, and with this principle firmly in mind, that Rousseau effects the transition from the state of nature to political society,

[1] *Œuvres*, vol. V, p. 434: *Émile*, V.

and throughout his political writings its operation is to be traced, giving them at bottom that unity which they are sometimes accused of lacking.

2. THE POLITICAL THEORY OF ROMANTICISM: ROUSSEAU AND BURKE

From the idea of nature it is but a step, in the realm of literature, to the full-blown romantic movement. In politics, too, we may suggest that the same idea produced a revolution against the prevailing system, and that the new movement so plainly manifest in the literary world was not without a parallel in the realm of political ideas. The division of the world of thought into water-tight compartments is an academic convention which finds no justification in actual fact. But, it may fairly be asked, can anything be discovered in the history of political thought comparable in scope and momentousness to the great literary movement? Does anything exist which we can call the political theory of romanticism, as a coherent and recognizable set of ideas?

In the first place, it cannot be questioned that the romantic period witnessed a great transformation in political ideas. For proof we have only to compare the state of political theory before it experienced the effect of the romantic movement with its state at the beginning of the nineteenth century. A quotation which sums up very well this change may be excused here, as evidence that the development in political theory has not gone unrecognized, and moreover that it is

capable of being attributed to the influence of the romantic movement. "C'est aussi un certain sentiment romantique qui distingue l'absolutisme de de Bonald ou de Maistre, de celui d'un Hobbes, la sociologie de Saint-Simon de celle de Condorcet ou de Turgot, l'optimisme hégélien de l'optimisme leibnitzien. Il y a chez un Fichte, un Schelling, un Hegel, un lyrisme de la pensée que l'on rencontrerait rarement avant le XIX[e] siècle."[1]

It should be premised, however, that if we speak of the political theory of romanticism it is not as a school in the sense in which the English utilitarians, the *philosophes*, the physiocrats, or even the German idealists can be so described. We have not to deal with any fairly complete or coherent political doctrine, but rather with a tendency, and one moreover of a general and emotional character, not necessarily bound up with any definite practical proposals, and therefore capable of receiving different and even opposed interpretations. How wide the divergence might be will be realized if we consider that the two greatest of those who can be termed the political theorists of romanticism are Jean-Jacques Rousseau and Edmund Burke. And yet the kinship of the ideas of these two men, apparently so widely divided and even diametrically opposed in traditions, political principles, social ideals and character is not difficult to demonstrate.

It has been assumed too easily that because Burke denounced Rousseau, because the name of the one was

[1] J. Wahl, Review of E. Bréhier's *Histoire de la philosophie*, in *Revue de Synthèse*, October 1932, vol. IV, p. 322.

identified with the Revolution and that of the other with the counter-Revolution, their political principles must necessarily have been opposed; but even a brief survey will show that their political ideals were much closer than one would have supposed. A profound belief in the rule of law, an intense hatred of arbitrary government, a fear of violent revolution, belief in the necessity of religion to the state, detestation of cosmopolitanism, consciousness of the force of nationality, and at the same time a sense, however hopeless, of the need in some way for a federation of the nations, finally, in economics and politics alike, an idealization of the middle classes,—all these are political principles common to the two great men customarily divided by the great gulf of the Revolution.

Nor can we accept the too facile division that classes Burke as the practical politician and Rousseau as the theorist. Burke is no more immune from the plague of principles that in the eyes of the practical man is apt to beset political thinkers, than Rousseau himself. Moreover Vaughan has justly pointed out that if we compare the practical judgements of Rousseau on Corsica and Poland with those of Burke on the causes of the Revolution in France, the superiority of Rousseau as an observer of actual facts is striking. Finally, in their idea of the state they each move away from the position of Locke and, though quite independently, arrive at conceptions that approximate to a remarkable degree.

Abandoning Locke's reliance on the idea of the state of nature for his theoretical starting-point, art,

says Burke, is man's nature. Surely here, it will be said, we have an idea that is the very antithesis of Rousseau's most devoutly held principle? But though in Rousseau the state of nature seems to play a larger part, though he takes it as man's initial state, it is only in order to abandon it the more explicitly and definitively. Whereas Locke kept his state of nature merely in a condition of suspended animation, ready to be called into being at any moment should necessity arise, for Rousseau there are no such half measures: once man has left that idyllic but alas too temporary state he is condemned for ever to struggle with the problems of society, to pay the price of social morality with a consciousness of sin and with the agony of internal conflict, until the day when the wheel should have come full circle and man in the ideal society should know that complete liberty in which he has only to be himself in order to achieve perfect morality, and so the conflict should be finally over. But this state of perfection, always to be striven for, was never to be attained; and in the meantime man must endure the strife within himself, the road back for ever barred by the angel with the flaming sword, the state of nature for ever lost. One cannot doubt Rousseau's meaning. In the political state he, like Burke, for all practical purposes abandons the conception of the state of nature; and if he begins by asserting the principle of natural rights, it is only to alienate them the more completely once the social contract has been concluded. Burke is here nearer to Locke, because if in general hostile to the idea of natural individual

rights he at least admits the possibility of an appeal to them in extreme cases.

The fate of the contractual theory of the state is even more significant. For Burke man needs no social contract; he is born into society, and can no more exist without it than he can without the air he breathes. Rousseau, if he does not abandon the Lockian idea of contract, at least robs it of its most important ingredient,—the free and rational choice of the individuals composing society. Theoretically he allows the individual at the time when he reaches adult status the choice of whether he will attach himself politically to the particular community he chances to inhabit. But as to the terms of the contract he allows no choice at all. They are dictated by the unalterable laws of right and wrong. The real distinction here between Rousseau and Burke is that Burke, regarding political constitutions as so many natural phenomena, is prepared to accept all of the various forms in which the state is manifested as equally justified theoretically, and judges them only according to their effects on the happiness of society; whereas Rousseau, in the pursuit of an ideal, is—at least in the *Contrat social*—concerned to discover the nature of the perfect state. We can hardly agree with Acton that "Rousseau's error was in affirming that society comes from Contract. Burke denied that the State itself comes from it—also wrong,"[1] because we cannot believe that either Rousseau or Burke was so completely conscious of a distinction between the state and society. The political unity was

[1] *Acton MSS.*, Camb. Univ. Lib., Add. 5401.

for both the essential characteristic of the unity of the society.

For both too this political unity, although embodied in a constitution, had its real being not in any institutional forms but in something less concrete, in the consciousness of unity existing in the minds of the citizens, in the feeling of oneness that makes a collection of individuals into a community. Again, for Burke as for Rousseau, the ultimate end of the state was the well-being and happiness of its members. Both admitted in the last resort a certain sanctity attaching to the voice of the people, and by both the 'people' in a political sense was interpreted in a very limited fashion.

Where then comes the cleavage between them? Not in their basic ideas of the state, but rather in the fact that for Rousseau the sovereignty of the General Will is unlimited and illimitable. Legislative activity, so long as it remains general in nature, knows no other bounds. Burke, on the other hand, limits the activity of the state in innumerable ways, by dividing it among subordinate but independent authorities, by subtracting from it the whole sphere of moral and religious life, which is submitted to a rather arbitrarily conceived notion of fundamental law, by refusing even in purely political matters to allow it to interfere, except in the most limited manner, with the work of time, the traditions and the ancient laws and institutions of the country. And hence it is that, despite the close relationship of their primary political conceptions, the theory of Rousseau could become the

justification of a revolutionary government, of which Burke was the bitterest opponent.

Yet even so we should be wrong to ignore the fact that there is a conservative hidden in Rousseau, just as there is a revolutionary in Burke. It is as though he himself were afraid of the power he had created and were concerned to limit, to the utmost of his ability, its scope. There is this curious contradiction in Rousseau, that while he is the author of political principles giving the widest scope to the powers of the sovereign General Will he is very reluctant to see these powers exercised. In the *Lettres de la Montagne* he argues that aversion against novelties is generally well founded: the government can hardly put too great an obstacle in their way, for however useful they may appear, the advantages they offer are nearly always less sure than the dangers are great.[1] More unexpectedly, at the beginning of the *Émile* he declares that in the social order the rank of each is laid down, the child must be brought up for the social position he is to occupy as a man.[2] Finally, such a passage as the following is the very echo of Burke: "Le moindre changement dans les coutumes, fût-il même avantageux à certains égards, tourne toujours au préjudice des mœurs. Car les coutumes sont la morale du peuple, et, dès qu'il cesse de les respecter, il n'a plus a règle que ses passions, ni de frein que les lois, qui peuvent quelquefois contenir les méchants, mais jamais les rendre bons."[3]

[1] *Pol. Writings*, vol. II, p. 239: *Lett. Mont.*, VIII; *cf. id.*, vol. II, p. 265: *Lett. Mont.*, IX. [2] *Œuvres*, vol. II, p. 14: *Émile*, I.

[3] *Œuvres*, vol. VIII, p. xxiv: Preface to *Narcisse*.

This presents us with an aspect of Rousseau's political theory in which he is closer to the English than to the French tradition. The explanation of the co-existence of extreme principles and conservative practical ideas is that Rousseau has a clear sense, though he does not put it so explicitly as Burke, of the distinction between the right and the possible. The more usual tendency in political thought is to argue on the sole basis of right and to conclude that because a certain policy appears right in the abstract, therefore it must be possible. Rousseau has at least the courage of his pessimism, that of recognizing the right and yet acknowledging that it may be unattainable. It was unfortunate that he had the indiscretion to write a book which was concerned with what is right almost to the exclusion of what is possible. Being in addition a work of genius, naturally it was seized upon by adherents and opponents alike, while his more moderate practical conclusions were neglected. Nevertheless, as we have tried to show, ample indications are given in Rousseau's works of the extent to which he shared the conservative tendencies characteristic of the romantic movement in politics.

One should note also the source of this conservatism. It is neither based, as was much nineteenth-century conservative political theory, on historical grounds, nor on a desire to leave free scope to evolution and the play of natural forces. History indeed forms a somewhat doubtful and double-edged weapon, for a historical philosophy can as easily be made the basis of a revolutionary as of a conservative political creed.

The conservative political tendencies of the first romantic generation are more securely based on the facts of human nature than on the theories of history. Given the rationalist, or rather intellectualist psychological theory of the Enlightenment, a revolutionary philosophy is almost the inevitable result, the intellect knowing no limits but those of reason and utility. Given, too, the atomism of the school of Locke, for the revolutionary analysis is essentially the work of the ruthless and unfettered individual mind. But a consciousness of the emotional constituents of human nature, of the powerlessness of the isolated individual and of the importance of the community as the sentimental and historical unit that we call in modern times the nation,—all this leads to a lower estimate of the scope of the revolutionary intellect and a distrust of its guidance.

Rousseau here, as at so many other points, stands with one foot in either camp. He never outgrew the methods of logical, intellectual analysis learned from the *philosophes*. But he differs from them in that they, combining Cartesian logic with Lockian utilitarianism, created man in their own image. Despite exceptions that can easily be pointed out, on the whole it is true to say that they allowed only for the intellectual, the conscious and utilitarian motives in human psychology. They are individualists, but their individuals are all cast in the same mould; they proclaim man's freedom, but only in so far as he behaves as they think he should. Rousseau's is a different brand of individualism. His 'return to nature' upset all this, for by nature he

meant the nature of the individual man, in all its variety, idealized it is true by being moralized and sentimentalized over, but not transformed into a homogeneous and uninteresting mass by being strained through the fine mesh of the Encyclopædic intellect. Where the *philosophes* adored uniformity, Rousseau preferred all the individual, local and national variations that so complicate problems for the student of society. While the tendency of the *philosophes* was to regard with a severe and disapproving eye all the illogicalities, the oddities, the Gothic aberrations from the norm, with which the fantasy of history has decorated human society, for Rousseau these variations were in themselves good. One cannot but see here a reflection of the literary opposition between Voltaire, with his so-called classical uniformity, and the romantic movement with its preference for the qualities of diversity and strangeness. It cannot be alleged that Rousseau went so far as Burke in the approval of positive abuses merely because they were old or peculiar to a nation. Nevertheless it is clear where his sympathies lie and why, despite his theory of sovereignty, he is to be classed with the conservatively minded Romantics rather than with the revolutionary *philosophes* of the Enlightenment.

The danger in describing a thinker as conservative or revolutionary is that these terms bring with them an almost unavoidable connotation of approval or disapproval, according to the personal disposition of the reader. A judgement based on such prejudices is necessarily irrational, since conservation and revolu-

tion are equally necessary and justified in different circumstances, and are seldom found in isolation. The quintessence of conservatism is perhaps occasionally achieved, but a pure revolutionary never existed. Voltaire was in social and even in political matters unmistakably conservative, and even his more extreme followers would appear extraordinarily timid in most respects from the point of view of a revolutionary of the next generation. For all their apparent daring, their irresponsible intellectual enquiry, the *philosophes* introduced little that was really new in social or political thinking. They pushed, it may be conceded, the ideas of Locke to conclusions which he himself would hardly have dreamed of, but they introduced no new principles, and in practice most of them gave evidence of extreme timidity. The historian has sounded the death-knell of many a good revolutionary reputation, and even Robespierre himself is now held up to scorn as the embodiment of petty bourgeois prejudices.

In Rousseau the combination of the revolutionary and the conservative is unusually clearly marked, and each element contributed its quota to his political thinking. But since revolution implies change and conservatism repose, his revolutionary principles were a call to action, his conservatism an aid to understanding. Nor, to conclude, is there any fundamental schism or conflict between the two sides of his mind. On the contrary they are intimately connected, for without the insight into the deep-lying forces of human nature which is the source of his conservative tenden-

cies, what was really original, what indeed was most truly revolutionary in his political philosophy could never have existed, and Rousseau would have counted as one of the rank and file of the *philosophes* and no more.

3. THE INDIVIDUAL AND THE COMMUNITY

The realization that Rousseau carries into politics the fundamental ideas of the romantic movement helps us to understand why to the end a hard and insoluble core of individualism remains in his thought and refuses to be dissolved away by the rising tide of communal values. Even in politics the sacredness of individuality and the importance of the individual initiative is still his guiding principle. To borrow the acute summing-up of M. Baldensperger,—"Ce point vif du rousseauisme confronté avec le romantisme, il est dans ce que j'appellerai *l'indifférence ou l'hostilité aux intermédiaires* dans la société, dans la religion et dans l'art."[1] This is why we have to discard Vaughan's description of him as "the sworn foe not only of individualism, but of individuality."[2] In another place indeed, the same writer is compelled to characterize Rousseau as "of all those who have pleaded the cause of individual freedom . . . the most passionate and inspired."[3] We may be sure that Rousseau, for whom in other respects individuality is so precious, would not omit it from his political ideal,—all the more because his moral principles are imbued with an

[1] Baldensperger, etc., *J.-J. Rousseau*, 1912, p. 284.
[2] *Pol. Writings*, vol. I, p. 59. [3] *id.*, vol. I, pp. 112–13.

intense individualism, possibly Calvinist in inspiration, and because for him politics and ethics are hardly separable. Those who attempt to divide them, he declares, will never understand anything of either.[1]

For this reason alone he is bound to reject any theory which sinks the individual so completely in the mass as to rob him of his capacity for moral freedom. Even when he exalts the community and appears to demand the sacrifice of the individual, it is because a certain voluntary identification of the individual with the community of which he is a member seems to him necessary for his moral well-being. But since he starts from the individual and not from the community he definitely envisages the moral end in terms of individuals, and takes all political and social organizations, right up to the national community itself, as at best means, even if necessary ones.

Nor is his individualism only a matter of philosophy. In practical politics Rousseau requires that within the limits of his capacity the individual citizen shall continually exercise his judgement in politics, because, being a member of the sovereign, it is his duty and right to share in the determination of the General Will of the state. The very existence of the General Will is equivalent to laying down a programme for the individual. It necessitates that his judgement should be rational, in the general interest, and unperverted by selfish prejudices or individual passions. It is not enough for him passively to accept the laws of society. He may be only a unit, but Rousseau

[1] *Œuvres*, vol. IV, p. 408: *Émile*, IV.

intends him to be a very active unit in the state, and to take his rights and duties very seriously. Indeed only in the small city state—in which each citizen can in turn take part in the positive functions of government, and all have a direct voice in legislation —can this ideal be fully realized. Whether the particular mechanism which Rousseau contrived was well adapted to its end or not, we must at least in justice admit that if it can be described in these terms his intention was certainly not to obliterate individuality in the corporate life of the state.

Certainly he represents, as definitely as Burke, the break away from pure Lockian individualism. "That," concludes Vaughan, "is his historical significance. Standing at the parting of the ways, he embodies the results of the past; he prepares the ground for the wholly different ideals of the future."[1] Locke, Vaughan argues, by making the individual morally sufficient unto himself had divorced politics from ethics. Rousseau, by recognizing the necessity of the community to the individual's moral life, brought ethics and politics again into connection with one another.[2] It is, he says, "a reversion from the cramped and narrowing view of Locke."[3] On the one hand this verdict seems to us unduly to depreciate Locke's political thought, and on the other to be over-confident of the value of that conception of a "higher unity" which was to take its place. Nor, as we have stated already, does it seem to us fair to regard Rous-

[1] *Pol. Writings*, vol. I, p. 4.
[2] *id.*, vol. I, pp. 40, 50–2.
[3] *id.*, vol. I, p. 113.

seau's thought merely as a half-way house between two rival theories, a stepping-stone from one excess to another. On the contrary, the object of Rousseau's political philosophy is to effect a reconciliation between the individual and the state, in which each may acquire a fuller meaning. Only in the light of such an interpretation can we understand his position in the development of political thought, and explain the apparent contradiction by which the assertion of the rights of individuality—for such is the natural interpretation of Rousseau's romanticism—leads in politics to the creation of the idea of a more closely integrated state. This peculiar combination of a glorification of the individual with a novel and apparently less individualistic conception of society is indeed a characteristic of romantic political theory.

Granted that Rousseau's theory is individualistic, it may be said next that individualism is dead. But the individualism that is meant here is rather the individualism of the *philosophes* or the utilitarians, who to an exaggerated degree divorced the individual from the community, in fact of the whole school of which one might say that the initial proposition is, "Imagine a man on a desert island." What we might term absolute individualism is certainly discredited; its day, if appearances are to be trusted, is over; and since it seems to be the irresistible tendency to oscillate wildly from one excess to the contrary excess, the new age has become the age of the herd,—of intense nationalism, economic and cultural as well as political, of state regimentation, of great mass movements which, accom-

panied by a continuous campaign from a unified and disciplined press, together with a skilful utilization of all the other means of suggestion with which science has armed the powers of society, produce finally a nation-wide hypnosis in which all exercise of individual judgement is swept away.

We cannot doubt what would be the judgement of Rousseauist political philosophy on this development. Despite his evocation of the idea of the nation, the author of the *Constitution de Corse* never allowed himself to be impressed by mere size. The great mass movements that have manifested themselves since his day would have filled his inmost soul with loathing. One cannot but feel that even the Revolution would have had an almost unduly unsympathetic witness in him. Both his psychological method and his philosophical and political ideals led him to concentrate on the individual. If he differs in one point more than another from those who tried to turn political theory into the science of mob psychology during the next century it is in this; and judged by them his greatest defect would be his failure to allow an adequate place to the forces which they delighted to attribute to what was very appropriately called herd sentiment.

We must recognize this gap in his political intelligence, if it be such. But against this criticism we have to recall the fact that Rousseau's individualism has peculiarities of its own, which in fact have made some unjustly deny its right to the title. It does not, like the individualism of many of his critics, leave the individual isolated and therefore defenceless against

the state, as against any other organized force. Instead, using as his basis the moral freedom of the individual, Rousseau builds up from it the authority of the community: he makes use of the very forces which tend to absorb the individual in the community for the safeguarding of his independence. The price which he makes the state pay for the right to exercise the sovereignty given by the General Will is precisely that which is required for the maintenance of the real liberty of the individual wills themselves; for the sovereignty of the General Will in the conditions which he lays down involves the continuous creative participation of the individual citizen in the life of the state. As he pictured it such an ideal may be possible only in the small city state; but if impossible for modern times in the form which Rousseau suggested, at least the development of democratic local government makes some approximation to his ideal possible; while he allows for the material basis of individual independence in the state because he assumes the existence of a community in which each individual controls the means of his own economic independence. Without continuing any further to re-cover ground we have already been over once, it may be said that Rousseau's individualism is largely free from the especial weaknesses that have combined to undermine if not entirely to destroy the individualistic political philosophy of the nineteenth century and have brought down in the ruin its more generous ideals as well as exposing its practical and theoretical deficiencies.

The individualistic ideals of Rousseau remain of value when anarchic, atomistic individualism has lost all its intellectual justification. Their practicability may vary at different times. Rousseau may be said to have prophesied the fate of his own ideal, since the larger and the more complicated the state, the farther removed it must necessarily be, he believed, from that ideal. We may ask whether he is not also open to the accusation of being himself a prophet of those tendencies which have proved most fatal to his own principles? If he did not in so many words accept the guidance of sheer sentiment in politics, did he not, by exalting natural instinct and extolling the virtue of the simple unspoiled emotions of the people, prepare the way for the system of government by mob emotion? Did he not indicate, moreover, the most potent and dangerous of the forces by which the feelings of the masses could be roused and flung into the scales of politics, nationalism and democracy? Are there not grounds for the accusation that he preached the ideals of the sovereign people and the self-sufficient nation; and that having evoked this power he completed his work by embodying it in the state, the only institution in which he admitted the right to command, to which, however, he allowed a sovereignty as absolute as the mind of man could conceive, from the scope of which neither religion, nor the property system, nor any other human activity was excluded?

We have attempted to indicate the unfairness of any such summary of Rousseau's political creed, and are hardly likely at this stage to be accused of en-

dorsing it. But in history the half-truth is potent: there is a kind of Gresham's law by which moderate ideas are expelled by extreme ones. Rousseau envisaged clearly certain forces—those in particular of democracy and nationality—which were to count for more in the Europe of the future than in that of the past. If he did not actually originate these ideas, at least he helped to precipitate them in concrete form out of the general current of European thought. As ideas which at any rate at one stage were appropriate to the development of European society, they must needs retain a certain interest for us, regardless of any intrinsic merits or demerits they may be supposed to possess. Since Rousseau consistently ignored the problems presented by the great nation state,—hardly a reality in his own day, it is true,—he naturally failed to appreciate their dangerous possibilities; and he lauded the national principle more highly than was wise in view of the fact that, as was to be shown in practice, it was to prove of doubtful compatibility with his own liberal and individualistic ideals.

As a matter of historical fact we have to admit that if a certain rather artificial individualistic creed has disappeared, it has only been to be replaced by an equally arbitrary and even more dangerous set of nationalistic and democratic dogmas. But we shall do Rousseau an injustice if we suppose that his intellectual processes can be summed up in any such simple fashion. That he was reacting against excessive individualism is as evident as that he was groping towards some kind of fundamental change. Society,

as he saw it, was in most respects unsatisfactory because ill adapted to human nature. Its institutions were bad because they were artificial, and they were artificial because they were not the necessary product of man and his environment but had been created by the force and cunning of small interested sections of the community; by the selfishness and pride of priests—he agreed so far with the *philosophes*—but added to his indictment kings and nobles and all in authority, including self-elected cliques of literary men, setting themselves up as dictators of opinion. Now since man is helpless in the grip of evil institutions, improvement could only come about by organic change, by the replacing of existing institutions with others framed not in the interests of particular classes but appropriate to the well-being of all citizens. It was thus in the interests of the individual that Rousseau put forward his new conception of society.

We may, of course, allow to him the best motives in the world, and yet believe that his good intentions were of the kind that paved the way to a political hell on earth. Given this awareness of the need for new social conceptions, it will be asked, did he not simply react against the old ideas and rush to the opposite extreme? The many relics—to put it no higher—of individualism in his doctrine suggest the contrary. But if not a mere blind reaction, what then was the process by which Rousseau attempted to discover institutions better adapted to human nature? Here, it may be suggested, we can observe a dual trend in his thought. There are two methods of approaching

this problem, and in a certain sense they lead to opposed results. In the first place, one can by introspection seek out the essential characteristics of human nature, and subsequently by logical deduction establish the principles of government necessary for the achievement of the good life. Starting from the individual, this method naturally tends to produce individualistic results.

These are, however, modified by ideas derived from a different source of inspiration. One of the most provoking facts about Rousseau is that one never knows where one has him, and this is not unattributable to his disconcerting capacity for seeing two sides to a question, above all to this particular question concerning the intricate psychological and philosophical relationship of individual and society. He tries to combine the line of approach that we have already described with another. It occurs to him, quite reasonably, that the mere existence of an institution affords some evidence of its suitability to human nature. Not, of course, its existence in the corrupt states of Europe; but in the little Swiss communities, as in the ancient Greek and Roman city states, he believed it was possible to see in operation institutions, whether spontaneously evolved or created by the wisdom of a semi-divine legislator, more suited to the fundamental character of man as a political animal.

That these two methods might lead to different conclusions he could hardly be expected to realize in advance. In fact, although the two trends are plainly evident in his thought, one cannot be sure that he

himself was aware of them as such, or of the different influences they were bound to exercise. Nevertheless, as the one concentrates on the individual, so the other, which we may term the historical method, concentrates on the communal aspects of the political problem, history being necessarily the history of states or societies. But if these were on the whole the results of the two modes of enquiry where Rousseau was concerned, we cannot draw any hard and fast line between them. In other hands the philosophical enquiry produced an emphasis on the state, and the less theoretic method has not invariably tended to the depreciation of the individual. His employment of both methods proves at least that Rousseau is exempt from whatever bias might result from undue reliance on the one or the other, and he might have argued in his defence that their ends were radically different. The object of his philosophical or psychological enquiry was to lay down general principles, rather than to dictate any specific institutional framework, the nature of which had to be determined by the size of the country, the climate, the character of the people and similar contingent circumstances, in assessing which historical comparisons could provide invaluable information.

This said, it is necessary of course to recognize the inadequacy of his attempt to discuss politics as a comparative science. Historical studies were in their infancy in the eighteenth century. The subject-matter of study, too, the modern state, was a comparatively new phenomenon, and as circumstances have changed,

the bearing of the practical problem of securing the liberty and the well-being of the individual in the state has changed with them. While giving Rousseau the credit for his attempt, therefore, we are bound to recognize that the value of his practical proposals could only be temporary, and that had he confined himself to these his works would now be enjoying a well-merited repose along with those of a host of lesser students of the same subject.

But as we have said, we have also Rousseau's philosophical analysis of the principles governing social and political relations, and this has a greater chance of survival, its intrinsic value depending not on changing circumstances, but on the soundness of the presuppositions on which it is based,—that is to say, primarily on the value of Rousseau's interpretation of human nature in politics. To the more individualistic Rousseau, then, we are forced back once again, and in this connection we can at least say that his ideas are not invalidated from the start by being based on an abstract, doctrinaire and therefore fundamentally unreliable psychological dogma. He does his best to take man as he is, as a being partly rational, partly emotional, influenced by considerations of utility, but even more swayed by passions and prejudices, at bottom moral and virtuous, but easily corrupted by bad institutions, and in most cases dependent for the maintenance of his virtue on good ones. Even the individualistic aspect of Rousseau's political thought, therefore, recognizes the necessity of society to the individual. The political psychology, on which rests,

as we have said, in the last resort the value of Rousseau's political thought is thus not completely individualist, while at the same time it is equally not based on any glorification of society, as distinct from the individuals of which it is composed.

Since he does not start from any such abstract theory, Rousseau can allow to those communal forces of which the reality cannot be questioned their place in the life of society, without in consequence sacrificing the individual wholly to them. The historical and social forces he indicates exist: in assuming their illusory or temporary character the individualism of liberal Europe was merely creating a fool's paradise for itself. The error of liberal Europe was its attempt to attain the ideal by ignoring the actual, and hard facts have avenged themselves ruthlessly. It was the virtue of Rousseau to have been able to give something like their due to both factors in the social problem, to the individual as well as to the communal aspect of the truth. There is here another justification for linking him with the other political theorists of the early romantic movement, with Burke, and with the Lake Poets, who were disciples equally of the English and the French thinker. Their especial merit is that, while maintaining firmly an individualistic ideal, they recognize the necessity of the community to the individual, and the reality and vigour of the emotional life of which it is the centre. This duality in his thought by itself explains why Rousseau, like Burke and the Lake Poets, had no real disciples in political theory, why he founded no school, and remains to the end an

isolated thinker, like them, denounced by individualists for *étatisme*, and by authoritarians for his individualism.

Implicit in Rousseau's political thought is the main problem of twentieth-century political life:—given the reality of nationalism, state sovereignty, the demand for the enforcement of economic equality by the state, and the emotional basis of popular politics, how to reconcile these with political principles founded on the idea of the rational, self-determining individual, the free citizen, and derived ultimately from Greek ideas of justice and liberty? Rousseau offered no permanent solution, so far as the great state was concerned he essayed none. His attempt, so far as it went, to hold the balance between the individual and the community, as between reason and emotion in politics, may not now be calculated to win favour in political theory. In the tempestuous and kaleidoscopic world of the early twentieth century it may seem as if the primitive political passions are on the point of carrying all before them: the final collapse of divine right and the bankruptcy of hereditary aristocracy may seem to have launched us on a sea of change in which nothing is permanent. Yet there still remain, unchanged in a changing world, on the one hand, the community and its will to live, and on the other hand the divine spark of individuality in Western civilization, the eternal capacity of the individual for taking the initiative, and the perennial life of the principles of political freedom first enunciated in ancient Greece. Delivered over apparently to the mercy of great communal movements of opinion, unforeseeable and un-

controllable, the individual may seem helpless and the ideals that Rousseau upheld mere dreams. Yet one turn of the wheel and their day may come again. And in the words of the judicious Sainte-Beuve, "Quand le courant des idées publiques sera aux choses saines et généreuses, la renommée de Jean-Jacques revivra."

APPENDIX I

POLITICAL IDEAS OF THE COMTE D'ANTRAIGUES[1]

So much has been made of the influence of Rousseau over the revolutionaries that the example of a royalist, who ended as an *émigré* of a most reactionary type, and yet all through his career claimed to be a disciple of Jean-Jacques, is more worthy of study than the intrinsic value of his ideals would suggest. Moreover, while the influence of Rousseau over the revolutionaries is almost invariably discussed in vague general terms, we can here examine the effect of specific doctrines and ideas. A young provincial noble of the Vivarais, with tolerable revenues, though excluded from the charmed circle of *noblesse de cour*, d'Antraigues, after an early and not very successful attempt at a military career, turned to the more attractive and in the eighteenth century possibly more arduous life of the literary *dilettante*. He moved in the minor literary circles of Paris, stayed with Voltaire, made chemical experiments, was enthusiastic over Montgolfier, fell body and soul under the spell of the worst kind of Rousseauist sentimentalism, and from time to time retreated to his mountain fortress of *la Bastide*, there to deliver himself over to a debauch of literary composition in the romantic *genre*. He has some title to be considered not merely as a disciple of Rousseau, but as—in political theory—his first disciple. According to his own statements he was personally acquainted with Rousseau in the last years of his life, and even if d'Antraigues exaggerated the extent of their acquaintance there is sufficient evidence to make it highly probable that it was not entirely fictitious. At any rate he was clearly a convinced Rousseauist in the early 'eighties, and like many others produced a series of literary efforts in the style of his

[1] For the life of d'Antraigues see L. Pingaud, *Un agent secret sous la Révolution et l'Empire: Le comte d'Antraigues*, 1893.

master, which were destined to remain in manuscript, but which serve to show that even so early he had become initiated into the political ideology of Rousseau. When in 1789 a critic accused him of having been seduced by the ideas of Rousseau, he proudly replied, "Ah! I may well hope that the ideas of that great man have become my own. . . . If to unite in the same heart and for the same object the most perfect esteem, the greatest respect, a friendship which only death could end, cruel and lovely remembrances which make his memory the torment and the charm of my life, if to unite all these sentiments is a proof that I have been seduced by his principles, then certainly I am guilty and will never cease to be so."[1]

We find in d'Antraigues' writings a mass of general phrases culled from Rousseau. Man is born free; in the state of nature, "far from the fetters of society, in wild and savage regions," he preserved his native independence.[2] Though he may since have forsaken the state of nature, the immutable rules of natural and divine justice have been implanted in his heart, and these remain when despotism has destroyed all other relics of his natural liberty. To these principles men may appeal in the last resort, and rediscover in them the sacred rights of the People.[3] This provides the theoretic argument on which d'Antraigues based the book through which—because of its opportune appearance, the nature of its appeal, some happy phrases, and the fact that its author belonged to the *noblesse*—he achieved an all too evanescent popularity and fame. In commencing with the natural rights of the People d'Antraigues provides a very clear example of the popular interpretation of Rousseau's ideas. By the immutable law of nature, he says, it is the People by and for which the state exists: its interest must be the supreme interest in the state and its will the supreme will.[4] Nor was he afraid to repeat the same principle, which indeed by then the

[1] d'Antraigues, *Supplément au Mémoire sur les États de Languedoc*, 1789, pp. xvii–xviii.

[2] *Mémoire sur les États Généraux*, 1788, p. 8.

[3] *id.*

[4] *id.*, pp. 198, 246.

rest of the world was equally proclaiming, before his fellow nobles in the National Assembly. The essential principle, he said, with typical redundance, is that, "All authority resides in the People; all authority comes from the People; all legitimate power emanates from the People."[1]

D'Antraigues joined to the argument based on the natural rights of the People an argument of a different order, that in fact popularized by the adherents of the *Parlements*, particularly after 1771, and derived from the medieval constitution of France. The connection between the idea of the state of nature and this more historical theory is provided by the semi-legendary age of the Franks, when, "Gathered together in the *Champs de Mars* around a king whom the people had elected, the general will dictated the law."[2] But when the free Franks became rulers of the subject Gauls, the decline of liberty began, fiefs became hereditary and feudalism, the rule of anarchic violence, was born. In search of protection the people turned to the king, who called the *états généraux*, of which, though the nobles and the clergy each had their separate estates, the *tiers état*, the representative of the people, was the essence. One can understand why in 1788 a work should attain popularity in which the *tiers état* was invoked as, "the body most worthy of respect, that in which all power really resides, that which alone sustains the state, and which is really the nation itself, while the others are only subordinate."[3]

But to the careful reader even in this his first work the more conservative tendencies of d'Antraigues will be evident, and what is particularly interesting is the extent to which they also can be associated with principles derived from Rousseau. The most important of these, on account both of the frequency with which he reiterated it and the consequences it was to involve in the realm of practical politics,—the all-important qualification, indeed, which was bound to bring him into the

[1] *Discours sur la Sanction Royale, prononcé dans l'Assemblée Nationale*, 1789, p. 2.

[2] *Mémoire sur les États Généraux*, p. 10. [3] *id.*, p. 93.

ranks of the counter-revolutionaries,—was the principle that the General Will cannot be represented.[1] He concluded that though in a state of any size representation is inevitable, the representatives must be kept strictly within their proper limits and not allowed to arrogate to themselves that legislative sovereignty which belongs only to the people. The tyranny of one man, he said, introducing an argument that was to be echoed many times after, is preferable to that of twelve hundred deputies.[2] "In a great empire democratic government is the cruellest of all despotisms."[3] He supports his position by citations from the *Contrat social* and the *Constitution de Pologne*.[4] It is interesting to note that d'Antraigues is fully aware that, though based apparently on an extremely democratic idea, this is really a conservative principle. He describes it as "this conservative principle, that our deputies to the *états généraux* are not appointed to decide the destiny of the state, that they are no more than simple mandatories, . . . and that in no case and on no pretext may they diverge from the instructions which they have received."[5] He calls this the principle of *mandats impératifs*, and as well as frequent incidental references in his many political pamphlets, he devoted a *Mémoire* expressly to the question.[6]

The rejection of the representative system leads, except in the tiniest of states, to an *impasse*. We have already seen that in order to escape from this difficulty Rousseau proposes the system of a federation of small republics; and it affords confirmation of this interpretation that in d'Antraigues the same suggestion is put forward for precisely the same reason, with definite reference to Rousseau. But d'Antraigues only mentions the idea to reject it, not on theoretic grounds, but because he

1 *Mémoire sur les États Généraux*, p 234.
2 *Quelle est la situation de l'Assemblée Nationale*, 1790, p. 29.
3 *id.*, p. 11.
4 *Supplément au Mémoire sur les États de Languedoc*, pp. xviii, xix.
5 *Mémoire sur les États Généraux*, p. 125.
6 *Mémoire sur les Mandats impératifs*, 1789.

regards it as mere utopism, forbidden in France by the circumstances of the country and the character of the people.[1] At the commencement of the Revolution, it seemed to him, the principle was being used as a means of undermining the authority of the crown, and this is the excuse he gives for the destruction of a manuscript fragment by Rousseau on *républics confédératifs* that he alleges himself to have possessed.[2]

It rapidly becomes evident to us that d'Antraigues' revolutionary ardour did not go very far in practice. He could find ample support in Rousseau for believing that in a large state such as France monarchy was a necessity. Even in the *Mémoire sur les États généraux* he expresses this view, which the early events of the Revolution only served to accentuate. To begin with he presents the authority of the king primarily as a means of safeguarding the liberty of the people, by imposing a check on the representatives.[3] But by 1790 he is allowing the monarchy more positive functions. "The extensiveness of the realm, the indestructible will of the people to form but a single state, its horror of the division of the monarchy into confederated republics, necessitate a common centre in which may be united all the threads of government."[4]

After his emigration d'Antraigues' ideas enter a third phase. Though counting, of course, as a royalist, and for a short while ranking high in the councils of the *émigrés*, he now lays a diminished emphasis on the rights of the crown. Like many other nobles, while the king was in the hands of the revolutionaries he declined to recognize him as a free agent, and the rights of the *noblesse* came to occupy the key position in his political system, formerly held by the idea of the sovereignty of the People. Not until 1792 does this appear clearly, however.

[1] *À l'Ordre de la Noblesse du Bas-Vivarais*, 1789, pp. 51–2 n.; *Discours sur la Sanction Royale*, p. 14 n.; *Quelle est la situation de l'Assemblée Nationale?* pp. 31–3.

[2] *Quelle est la situation . . .*, p. 59 n.

[3] *Discours sur la Sanction Royale*, p. 5.

[4] *Quelle est la situation . . .*, p. 16.

In this year he printed his *Addresse à l'ordre de la noblesse de France* (written November 1791), in which he begins by recanting the distinction he had formerly made great play with, between the *noblesse* of the court and the *noblesse* of the provinces. This division, he says, was the work of those who planned to destroy the Monarchy by first destroying the *noblesse*. In defence of his own order he waxes increasingly enthusiastic. It is now the *noblesse* and no longer the *tiers état* which is "le plus beau domaine du Peuple," and which exists by and for the People.[1] Its privileges he brushes aside as being mostly nominal and at any rate quite harmless. Distinctions of rank and inequalities of wealth are necessary to the social order, he maintains, because nature has distributed ability unequally, and it is right that those who are "*l'élite de la nation*" should form a superior order.[2]

Even the *Parlements* share in the rehabilitation of the *ancien régime* in his esteem.[3] In place of rhapsodies on the *tiers état* we now have continual denunciations of democracy, justified still—so strong was the hold of Rousseau over him—by the declaration in the *Contrat social* that pure democracy is the worst of all forms of sovereignty.[4] But by 1792 the *Contrat social* has become for the disciple of Jean-Jacques no more than "the Romance of a great genius, who, finding only corrupt men on earth, populated a new universe with his chimeras, and legislated for the men whom his imagination had created."[5] The sovereignty of the people he describes a few years later as a "droit chimérique."[6] As for the *tiers état*, what is left when the superior orders are taken away from the state is not the people but a mere rabble. "It is a class," he writes, with characteristic arrogance, "of which a great part lives at the

[1] *Addresse à l'ordre de la noblesse de France*, 1792, p. 93.

[2] *Réponse du comte d'Antraigues à l'Auteur constitutionnel du Coup d'œil sur la Révolution française*, 1795, pp. 96–7, 128.

[3] *Exposé de notre antique et seule légale Constitution*, 1792, pp. 49, 56.

[4] *Lettre . . . à MM . . ., Commissaires de la Noblesse de B . . .*, 1792, p. 9 n.

[5] *Addresse à l'ordre de la noblesse de France*, p. 102 n.

[6] *Réponse . . . à l'Auteur constitutionnel*, etc., p. 152 n.

expense of all those who are superior to it, and towards which the state is more than just if it accords it the same rights as to the other classes."[1] But although his expressions were now more violent, so far as his criticism of democracy went he had held the same view even in the early part of 1789. Democracy in a great empire, he had written then, is anarchy. "The reign of anarchy is short; out of the horror which it inspires is born the desire for order and the love of peace; and thus despotism reappears."[2]

His defence of the privileges of the *noblesse* and his attacks on democracy are easily comprehensible but of little value. It is more interesting, however, to find in him also the beginnings of a generalized conservative philosophy, the arguments for which he derives, at least in part, from Rousseau's *Gouvernement de Pologne*. The *Contrat social*, he says, is an isolated and abstract work, not applicable to any actual state. Rousseau, on the other hand, when he had to apply his principles to an already existing nation, "at once modified his principles in accordance with the ancient institutions of the people, allowing for all prejudices too deeply rooted to be destroyed without injury to the fabric of the state."[3] Rousseau's nationalism is clearly one source of d'Antraigues' conservatism. "Just as with individuals, one can observe even in the earliest age of a nation the traits which compose its national character, . . . and it is as a consequence of this that a constitution which is practicable for one nation is often detestable to another, because it is repugnant to its national character. The result is that the best of all constitutions for a nation is certainly that which it has received from its ancestors, and which has been successively enlarged and modified by its fathers."[4] He concludes elsewhere that the constitution cannot be changed without the agreement of all classes in the state, because it is connected necessarily

[1] *Réponse . . . à l'Auteur constitutionnel*, etc., p. 100.

[2] *Troisième Discours prononcé dans la Chambre de la Noblesse*, 1789, p. 12.

[3] *Quelle est la situation . . .*, p. 60.

[4] *Exposé de notre antique . . . Constitution*, p. 13.

in all its parts with the manners, character, climate and general circumstances out of which it has grown.[1]

In respect of these ideas, however minor a luminary, d'Antraigues is clearly to be placed in that romantic galaxy of which Burke and Rousseau are the great though opposed stars. This is made the more evident by another element in d'Antraigues' thought, his medievalism, which is already prominent in his first *Mémoire*.[2] His enthusiasm for the Middle Ages became later notorious. "Let them call me madman," he exclaims, "a man of the twelfth century! Truly I would gladly exchange our customs for those of the age that is so scorned by our great wits, and our pretended virtues for the true virtues of the century which is so contemned. But, for my country, what I would desire are the immutable principles of the fourteenth-century constitution."[3] In this way he comes finally to a definition of the *patrie* which reminds us both of Rousseau and of Burke. "The *patrie* is in the union of the laws and the subjects as they have been modified by the laws; it is the manner of living, it is the safety of life and property; it is in the relations which one has established and which have been formed around one."[4] Possibly we may claim that even in his later years d'Antraigues' ideas are not to be entirely despised, although they had long ceased to have any political importance, if indeed they ever had any, save for his one brief, glorious moment of fame on the eve of 1789. Rapidly, as the Revolution progressed, the force of circumstances, and one may perhaps add certain tendencies in the political philosophy he had inherited from Rousseau, led him to conservative conclusions, which the violence of his disposition and a life embittered by exile exaggerated into the extremest reaction.

When he perished miserably, assassinated along with his wife in 1812 by a dismissed lacquey, he had long sunk into obscurity.

[1] *Réponse . . . à l'Auteur constitutionnel . . .*, p. 102.

[2] *Mémoire sur les États Généraux*, pp. 87–90.

[3] *Lettre . . . à M. de L. C. sur l'État de France*, 1796, p. 10 n.

[4] *id.*, pp. 16–17.

APPENDIX I

One cannot but feel regretful at the miserable fate of a man, endowed with considerable talent and generous enthusiasm, temperamental in the extreme, but capable of sincere affections, who had once stood on the pinnacle of fame, but in whose history circumstances seemed to have conspired with his character to bring about his ruin.

APPENDIX II

CONSIDERATION OF A SUPPOSED LETTER FROM ROUSSEAU

AMONG the papers left behind by the comte d'Antraigues there exists a series of drafts of some twenty letters, purporting to be written by Rousseau. It is hoped to publish at any rate a selection of these manuscripts elsewhere, and to discuss then some of the problems which they present. The conclusion to which a detailed study of the letters leads is that the greater part is clearly the work of d'Antraigues. There are passages, however, in connection with which the authorship of Rousseau has at any rate to be considered. At least it is necessary to bear in mind the possibility that d'Antraigues in making his versions employed in the process some actual letters from Rousseau. The letter which we print below is one which at first sight it is difficult to attribute in its entirety to d'Antraigues. The style, particularly of the earlier part of the letter, is clear, concise, and even epigrammatic, whereas d'Antraigues' writings at all times are extremely diffuse and phrased in the most exaggerated language. This is particularly true of his early manuscripts, but his published political works of years later, including even the well-known *Mémoire sur les États Généraux*, suffer from the same inflated style and verbosity.

The letter deals with the political situation in 1771, when d'Antraigues would be only seventeen years of age. One cannot suppose that he composed it at the time; there is reason to believe that the versions of the letters as we have them were made between 1781 and 1784. It may seem surprising that d'Antraigues, even supposing him to have had an adequate knowledge of the events of ten years ago, should have been able to adopt so successfully the attitude of a contemporary critic, when the whole situation had changed and the ancient *Parlements* were sitting once more in their old courts. Nothing

in the letter leads one to suppose that the writer is aware of events subsequent to 1771, though the temptation to make at any rate some kind of prophecy after the event would surely have been considerable. The only prophecy, that of revolution within twenty years, is to be found elsewhere in Rousseau, and is in some respects an observation more likely to date from 1771 than from the early 'eighties.

The most important considerations, however, arise in connection with the ideas expressed in the letter. Are they, we have to ask, in line with the general tenour of Rousseau's thought, or do they contradict it? The most striking feature of the letter is the violently revolutionary sentiment of the concluding paragraphs. Even allowing for the fact that Rousseau on occasion prophesied revolution, nevertheless a frank acceptance of the necessity for a sanguinary struggle in France is not in harmony with his usual moderation of expression, and his constant hostility to the use of violence in the state. One is compelled, without further discussion, to attribute the more reckless sentiments in the letter definitely to d'Antraigues, even though he himself was only a sentimental revolutionary and was in no way prepared for the popular violence that actually developed.

Again, the details alleged concerning Rousseau's relations with M. de Silhouette are in the highest degree suspect. The only connection with this minister of which we have any record is the letter of December 2, 1759, printed in Book X of the *Confessions*. This is in fact only a short note written after the minister had fallen from power, and its terms are hardly compatible with the suggestion of any earlier relation between them. It is presumably of this letter that Rousseau writes in the *Lettres de la Montagne*, "À la retraite de M. de Silhouette, je lui écrivis une lettre qui courut Paris. Cette lettre était d'une hardiesse que je ne trouve pas moi-même exempte de blâme; c'est peut-être la seule chose répréhensible que j'aie écrite en ma vie."[1] The terms of the letter he prints

[1] *Pol. Writings*, vol. II, p. 276, n. 2: *Lett. Mont.*, IX.

in the *Confessions* are, it is true, not conspicuously bold, and hardly explain the wonderment at his own temerity even in such a timid person as Rousseau. An incidental complication was pointed out by the editor of the *Correspondance Générale*, who finds an apparent inconsistency regarding a copy of the letter sent by Rousseau to Mme de Luxembourg, and concludes that in the facts as we have them something is lacking.

There are three possible explanations of the passage relating to M. de Silhouette in the letter. The first is that Rousseau is here saying rather what he would have liked to have written than what he did write. As he is usually very scrupulous in such matters, except where his memory fails him, this is not a very likely explanation. Secondly, one might suppose that there were two letters to M. de Silhouette, the first, of which the purport is given here, being possibly anonymous, for the terms of the letter in the *Confessions* seem to preclude any previous communication. One cannot help thinking, however, that such a letter would represent much too daring an incursion into practical politics for Rousseau. Moreover the terms of the alleged letter are in themselves almost a disproof of his authorship. The idea of a conspiracy is impossible to attribute to him. A passage from a letter of 1766 deserves to be recalled in this connection: "Pour moi, je vous déclare que je ne voudrois pour rien au monde avoir trempé dans la conspiration la plus légitime, parce qu'enfin ces sortes d'entreprises ne peuvent s'exécuter sans troubles, sans désordres, sans violences, quelquefois sans effusion de sang, at qu'à mon avis le sang d'un seul homme est d'un plus grand prix que la liberté de tout le genre humain."[1] The appeal to the *gens de lettre*, whom he so loathed after his breach with the *philosophes*, dated it is true from 1759, but repeated with approval in 1771, along with the *torrents de sang* of the preceding paragraph, is a good as proof that this passage cannot come from the pen of Rousseau. The whole of this part of the letter from "Le peuple sentant enfin que pour être le maître" down to "utile à la liberté pub-

[1] *Corr. Gén.*, vol. XVI, p. 77: September 27, 1766.

lique" must be given to d'Antraigues. We may do so with the less reluctance since it is completely lacking in constructive political ideas, in which respect this section of the letter presents a marked contrast with what has gone before.

2. The body of the letter contains an argument of much more substance than the enthusiastic but rather superficial invocation to revolution with which it ends. The attack on the *parlements* by Maupeou in 1771 provoked an outburst of political discussion in France, and was perhaps the most important constitutional event of the century before the calling of the *états généraux*. The writer does not appear as an admirer of the *parlements*, which he regards as venal and oppressive in the highest degree in the exercise of their functions; in fact the letter contains a stringent indictment, with which we may compare Rousseau's warning in the *Gouvernement de Pologne* of the dangers of a selfish professional interest arising from the existence of a legal caste within the community.[1] D'Antraigues himself, on the other hand, writing in 1788, defends the venal and hereditary character of the law courts in France, with an obvious reference to the *Parlement Maupeou*. "Qu'on juge de ce qui arriveroit bienôt, par ce qui est arrivé de nos jours, et qu'on prononce ensuite s'il est expédient que la vénalité soit abolie, et que le choix des magistrats dépende absolument du prince et de ses ministres."[2] For the safeguarding of property, d'Antraigues holds that the *états* when they have been called should continue to entrust to the *parlements* "le pouvoir national dont nos aieux les ont revêtus."[3] Nor is there anywhere in his works a single echo of that criticism of the *parlements* which is so bitter in our letter.

In its criticism of the *parlements*, of course, our letter does not differ from what one might call the enlightened opinion of the day. It cannot be questioned that the members of the

[1] *Pol. Writings*, vol. II, p. 474.
[2] d'Antraigues, *Mémoire sur les États Généraux*, 1788, p. 201.
[3] *id.*, p. 263.

parlements constituted one of the most reactionary bodies in the country, joining to the natural vices of a privileged class of lawyers the most intense social conservatism and religious intolerance. In relation to royal despotism they were the enemies only of its sporadic attempts to introduce measures of reform in the interests of the nation as a whole: they only came out into open opposition when, although half-heartedly, the monarchy began the task of reforming the *ancien régime*. But, unaware or temporarily forgetful of this, public opinion in 1771, carried away by indignation at ministerial tyranny, was strongly in sympathy with the exiled *parlements*. In fact even among the *philosophes* Voltaire was the only one who publicly applauded Maupeou.

The letter next addresses itself to the practical issues raised by the suppression of the *parlements*. Of these the most significant, according to the writer, is that the monarchy is itself tearing down the veil which partially concealed its tyranny from the eyes of the people,—for such he regards as the effect of the *parlements*. The same criticism was put forward by other contemporary commentators. Thus one writes, "Un roi habile . . . se gardera bien d'avertir ses sujets qu'il les a rendus esclaves de sa seule volonté."[1] This interpretation of the psychological consequences of the overthrow of the *parlements* seems justified by the facts. "Il était impossible," writes the historian of this episode, "d'annuler les effets produits sur l'intelligence de la nation par les coups de force qui avaient montré que l'autorité royale était despotique, et par la masse de libelles qui avaient surexcité les passions, revendiqué les droits des peuples et fait naître des idées qui, bientôt, allaient se traduire en actes."[2]

The consequent discussion in the d'Antraigues letter of the origin of royal tyranny in France we may pass over, in order to arrive at what is, for the student of political ideas, the most interesting feature of the letter. Where it makes the most striking advance on Rousseau's ideas, is in its appeal to the

[1] Carcassonne, *op. cit.*, p. 460.

[2] J. Flammermont, *Le Chancelier Maupeou et les Parlements*, p. 594.

états généraux on the ground that they alone have the right of voting the taxes. Although not mentioned in his other works, such a right is emphatically asserted in the *Économie politique*: "Les impôts ne peuvent être établis légitimement que du consentement du peuple ou de ses representants." Again, "Préalablement à tout emploi, ce fonds doit être assigné ou accepté par l'assemblée du peuple ou des États du pays, qui doit ensuite en déterminer l'usage."[1] It would be interesting to find the same idea emerging in 1771. Not that the appeal to the *états* was novel. *Parlement* after *parlement*, looking round for the source and justification of its power, had been driven to appeal to the old medieval constitution of France; pamphleteers and historians did the same, or like d'Antraigues went even farther back to the gatherings of the Franks under Charlemagne or of the Gauls before Caesar.[2] The *parlements*, which had long regarded themselves as the guardians of the fundamental law of France,[3] rather rashly began to change their terminology and to speak instead of the rights of the nation,[4] embodied, it was assumed, in the medieval constitution, in which the *états* were the ultimate authority, from which it was only a step to the proclamation of the rights of the people. For the present the argument was not pushed so far. Yet the consequence was that after 1771 constitutional argument in France centred not as before on the privileges of the intermediate powers, but on the historic claims of the *États généraux*.[5]

Malesherbes, in the *remonstrance* to which our letter makes reference, tentatively but quite clearly takes a step beyond the historic argument and hints at a final appeal to the sovereignty of the nation.[6] He leaves the matter there nor does he link the sovereignty of the nation with the rule of the *états*. The most significant feature of the letter is that its author apparently assumes this connection, thus establishing an identification

1 *Pol. Writings.*, vol. I, pp. 265–6; *id.*, vol. I, p. 261: *Écon. pol.*
2 Carcassonne, *op. cit.*, pp. 407, 409–36.
3 *cf.* Sée, *op. cit.*, p. 319.
4 *id.*, p. 321.
5 Carcassonne, *op. cit.*, p. 463.
6 *id.*, p. 408.

which is the foundation of the whole nineteenth-century theory of representative democracy. This is the decisive step in the evolution of the modern parliamentary system, though it cannot be said ever to have received adequate recognition from political theorists. Our letter itself attempts no justification in theory for it, but is confined as were all the writings of the time in France to the historical and practical arguments. A century earlier Locke—with his supreme gift for taking things for granted—had effected the transition from the idea of self-government to that of parliamentary government in an even more unwarranted fashion. "Society," he wrote, "or which is all one, the legislative thereof."[1] The Benthamites later worked out the case for parliamentary government on utilitarian grounds, but can hardly be said to have ventured into the sphere of political philosophy. It may well be, of course, that theirs is the only practicable line of argument, that the principle of representation belongs to the field of expediency alone.

Rousseau, however, is primarily a political philosopher, in that he concerns himself first with the question of right, and as such he seems, as we have shown earlier, to have excluded the very assumption we are discussing. "Le souverain," he says, "qui n'est qu'un être collectif, ne peut être représenté que par lui-même:"[2] from which, he necessarily concludes, that the members of a legislative assembly cannot represent the General Will and hence cannot exercise the sovereignty of the nation. Though he frankly admits the practical difficulties presented by his unwillingness to accept the representative system,[3] nevertheless he stands firm on the question of abstract right and refuses to allow that there can be any law unless it is agreed to by the whole people acting directly.

With this view of the representative system it seems difficult to reconcile the reference to the *États généraux* in the letter.

[1] Locke, *Second Treatise on Government*, § 89.
[2] *Pol. Writings*, vol. II, p. 40: *Con. soc.*, II. i.
[3] *id.*, vol. II, p. 98: *Con. soc.*, III. xv.

If it were to be attributed to Rousseau one would be compelled, apparently, to suppose that, dealing with a practical issue, Rousseau modified his theoretical strictures on the representative system, or forgot them altogether. It is true that in our letter the *États généraux* are described as the *assemblée générale* and even as *l'assemblée de toute la nation*, and the representative system is nowhere mentioned. And it should be realized that in speaking of the *états* the writer is referring only to the past. The representative assembly is here appealed to only as the legal government and in connection with the old constitution of France, which the monarchy, by depriving them of their rightful place, is assumed to have destroyed: they are nowhere spoken of as a sovereign body. The argument of the letter is that the monarchy, by instituting a government based on will alone, has overthrown the legal constitution of France. It is exactly the argument by which Locke, and later Burke, justified the Revolution of 1688.

It is worth while remarking here again the difference between the point of view of the author of this letter and that expressed by d'Antraigues in his *Mémoire sur les États Généraux*. There the appeal is for the revival of the old representative assembly. But when it turns to discuss the future this letter abandons the *états* and concludes not with the demand for the calling of any kind of representative assembly but with the prophecy of the uprising of the people. The time for representatives to govern in the name of the law is past, since the monarchy itself has overthrown the reign of law. The constitution having been destroyed, the representative system goes with it. Since there is no longer a lawful government, the situation that existed at the time of the foundation of the state has been re-created; we are back at the time when force was the only law. The only way in which the reign of law can be renewed is by a direct act of the sovereign people. The same thesis, revolutionary though it may be, is to be found explicitly stated in the *Discours sur l'inégalité*. One may perhaps conclude that the discussion of the consequences of the attack on the *parle-*

ments is not entirely incompatible with the attribution of partial authorship to Rousseau, though the revolutionary sentiments in the following passages, which however add nothing to the argument, are evidently the work of d'Antraigues. The result of our consideration then is to leave the authorship of the body of the letter unsettled. The most likely solution is to attribute it to d'Antraigues. But even if we were definitely to abandon the idea that the letter might be in part the work of Rousseau, it would not lose all value, for its intrinsic interest would remain, and it would serve to illustrate admirably the effect of the doctrines of Rousseau on the political outlook of the young d'Antraigues, in whom were represented in an exaggerated form many of the tendencies characteristic of the younger *noblesse* of the generation that preceded the Revolution.

APPENDIX III[1]

THE D'ANTRAIGUES MSS.

(1)

J'ai différé bien longtems de répondre à votre letre du 16 juillet,[2] mais Cécile ce n'est pas aux mains infidèles de l'administration qu'on doit confier ses idées sur les objets très critiques qui frapent maintenant nos regards.

Aujourd'hui je dépose entre les mains de l'énergique Glichen[3] mon sentiment sur les événemens politiques dont nous sommes les témoins. J'ai eu trop à me plaindre du parlement de Paris[4] pour pouvoir me permettre de dire ce que je pense de ses droits, de sa conduite et de celle que le roi tient envers lui, mais je peux et je dois ouvrir mon cœur à Cécile. Le J.-J. du peuple n'est pas pour elle le J.-J. qu'elle aime at elle scait si dans l'âme

[1] I have introduced punctuation and accents, of which there are practically none in the MSS., but have left the spelling unchanged. The letter is superscribed, 'Lettre de J J Rousseau a miladi cecile hennele h.'

[2] The decree against the *parlements* was issued by Maupeou on January 21, 1771.

[3] The person probably intended here is Charles-Henri, Baron de Gleichen (1735–1807), *envoyé extraordinaire* of the King of Denmark in Paris, 1763–70. He frequently revisited France after his dismissal from this post, and had many friends in literary circles. In his memoirs (*Denkwurdigkeiten des Barons Carl Heinrich von Gleichen*, Leipzig, 1847) he makes no reference to any acquaintance with Rousseau, and one would have been inclined to dismiss it as pure invention had it not been for a letter of July 17, 1767, from Coindet to Rousseau. "On me dit hier que le baron de Glecken, envoyé de Danemark, savait où vous étiez; mais je ne sache pas qu'il ait désigné l'endroit; cependant, sur quelques particularités que je l'ai apprises, je présume qu'il est instruit. On m'a ajouté qu'il vous estimait et aimait beaucoup." (Alexis Francois, *Correspondance de J.-J. Rousseau et F. Coindet*, in *Annales de la Société J.-J. Rousseau*, vol. XIV, 1922.)

[4] It was the *parlement* of Paris which initiated the period of his worst misfortunes by its condemnation of the *Émile* in 1760.

de celui qu'elle connaît le ressentiment vient alterer le langage de la justice et de la vérité.

Le roi a-t-il bien ou mal agi en cassant ses parlements? Ma réponse est simple, il a suivi l'impulsion d'un colère aigrie par ses remors et alimentée par l'intrigue de deux scélérats.[1]

Avait-il le droit de casser ses parlements? À cela que répondre?

Pour trouver une solution à cette demande il faut remonter aux principes. Depuis qu'il n'y a plus d'états généraux en France il n'y existe plus suivant moi de gouvernement légitime, il n'y existe plus de souverain, et par conséquence la loi ne peut se faire entendre. Hors, dans un tel ordre de choses l'on n'est tenu d'obéir qu'autant que l'on y est contraint.

À quoi a-t-il tenu que les français ne fussent libres? À bien peu, Cécile, mais ce peu omis les a plongés dans la servitude. Si un seul de leurs états généraux eut fixé un terme périodique pour l'assemblée générale sans qu'il fut nécessaire que le roi le convoquât, la France serait libre. Si elle ne l'était pas il ne tiendrait qu'à elle de l'être et ce ne serait point en ce cas une entreprise téméraire à un seul homme courageux de faire cesser l'esclavage de sa patrie et de lui rendre la liberté.

Quoique aient dit les infâmes paiés par le tiran pour tromper le peuple, l'assemblée de toute la nation était au-dessus du roi, et quand les rois se seraient refusés à cette vérité terrible auraient-ils pu méconnaître que là où réside le droit de voter de nouveaux impôts, de détruire les anciens, de réduire le gouvernement à l'indigence, la réside le pouvoir souverain. Non, le droit d'établir des impôts était celui des états généraux, je doute qu'il se soit trouvé un scélérat assez pervers pour le nier.

Les rois, qui seuls pouvaient convoquer ces suprêmes assemblées, ont éloigné de tout leur pouvoir ces tems d'orages car la foudre part souvent du milieu de ces assemblées souveraines: elles forcent les rois d'être justes et à leurs yeux c'est leur arracher le diadème.

[1] The names are given in the margin of two of the ministers responsible for the *coup d'état*,—M. de Maupeou and the duc d'Aiguillon.

Quand Louis XIV, le plus odieux tiran qu'aient souffert les français, eut multiplié ses troupes, il établit une foule d'impôts pour les paier. Il les établit ainsi que l'avait fait Louis XIII en choses moins essentielles par sa seule autorité. Dès lors les troupes, devenues les instrumens de la servitude publique, forcèrent les peuples à obéir sans murmure, et de l'argent qu'on leur ravissait on soudoiait les satellites du tiran. Ainsi Tacite avait raison de dire qu'il y avait des peuples esclaves qui paiaient journellement leur servitude.

Dès ce moment la tirannie fut établie sous le nom de royauté. C'est que dès qu'un homme est au-dessus des loix et ne reconnaît que Dieu pour maître, je ne vois plus dans le pais qu'il oprime qu'un despote et des esclaves.

Au milieu de ce bouleversement général que sont les parlemens? Des cours de judicature où le despote envoie ses ordres pour qu'ils soient connus de ceux qui doivent punir les réfractaires. Il est vrai que ces mêmes tirans ont permis des remontrances à ces cours de judicature sur les objets où elles croiraient que la volonté du roi a été déterminée par de faux rapports. En cela le roi a pris des précautions contre les surprises que pourraient lui faire ses ministres. Mais ces précautions sont-elles suffisantes? Hélas, les choses parlent d'elles mêmes. Les rois se sont réservés le pouvoir de faire taire les cris mêmes du peuple en énoncant leur volonté avec un certain appareil,[1] et vous sentez que les ministres des rois se sont bien réservés sans le dire le droit de lui faire appercevoir la révolte contre l'autorité partout où s'annoncerait la résistance. Aussi les rois d'un caractère énergique et impatient ont-ils toujours méprisé ce vain simulacre, et Louis XIV en donna de signales exemples.

Ce pouvoir de remontrer ne peut être utile que sous des princes faibles, ennemis des affaires, et qui pour les terminer trouvent plus court d'apaiser une multitude de plaignans en frapant un seul homme.

J'avoue aussi que ce droit serait utile à un prince juste, mais

[1] The reference is to the *lit de justice*.

un prince juste serait encore mieux averti et son premier édit suivant moi rassemblerait les états généraux.

Mais avec un roi faible ce droit peut intimider les ministres sans être utile à la nation, et c'est ce qui arrive en France. Ce vice y part de la composition de ces corps intermédiaires.

Quelle étrange dépravation de jugement que d'imaginer qu'un corps qui paie au roi son existence, dont chaque membre achète de lui le droit d'y occuper une place,[1] qui n'a d'autorité que celle du roi, qui peut-être serait frapé de mort si les états généraux fixaient un moment leurs regards sur la tirannie et ses instrumens, comment imaginer, dis-je, que des corps de cette espèce se roidissent jamais de bonne foi contre la tirannie? C'est une vraie sotise dont les français seuls peuvent être capables.

Mais quand les parlemens auraient à la fois la volonté et le pouvoir d'arrêter les coups d'autorité pourraient-ils faire de ce droit négatif un usage salutaire? Je le nie.

En Angleterre le parlement, ne s'occupant jamais que des fonctions de la souveraineté, doit en connaître les besoins, les limites et l'étendue.

Des cours de judicature occupées à expliquer des lois obscures et à les surcharger volontairement d'entraves, des cours où la morale des veillards et la suffisance des jeunes gens tiennent lieu d'étude et d'acquit, des cours qui même en se livrant à leurs fonctions ne peuvent perdre un moment de vue cette foule de plaideurs qui les entoure, des juges dont l'avis doit peser dans la discussion des droits sacrés mais ministres (?) de l'intérêt particulier, peuvent-ils connaître toutes les branches de la richesse publique et si la guerre rend un impôt nécessaire peuvent-ils apercevoir et peut-on leur faire connaître sans péril les relations politiques et étrangères qui établissent cette absolue nécessité? Non, non, il faut en convenir, l'ignorance sur tous ces objets est de nécessité absolue et réduit le droit négatif des parlemens quand il existerait à une entrave inutile.

[1] In the *État de Guerre* Rousseau observes, "Sans entrer dans cette vieille question de la vénalité des charges, . . . imagine-t-on quelque moyen praticable d'abolir en France cette vénalité?" (*Pol. Writings*, vol. I, p. 416.)

Je sais bien que le peuple abusé pense différément et voit un appui dans ses opresseurs. C'est en quoi je trouve la conduite du roi d'une absurdité révoltante. Sans doute un tiran peut se déclarer tel à la face de ses esclaves, mais si l'étant de fait ses peuples croient encore être libres et que cette idée leur fasse suporter patiement leurs chaînes, n'est-il pas absurde de détruire soi-même cette utile illusion?

Par leur composition personelle je connais peu de corps plus méprisables que les parlemens et parmi les 12 parlemens du roiaume celui de Paris sans doute est le plus pervers, le plus corrompu de tous. Il faudrait scavoir comme moi de quels misérables il est composé pour concevoir combien est abject ce monstrueux assemblage d'hommes ignorans, intrigants des lois, et d'hommes dignes de l'échafaud et y envoiant leurs complices.

Il existe deux corps réellement distincts par l'opinion dans le parlement de Paris; les présidents et les avocats généraux, c'est là ce que l'on nomme le grand banc. Viennent ensuite la foule des conseillers qui est au grand banc ce que le peuple est aux gentilhommes.

Une haine sourde divise les membres de chaque parti. Un président gonflé de vanité sourit à la familiarité fraternelle d'un conseiller des enquêtes, et celui-ce tout en s'égalisant au président ne voit dans sa prééminence au palais que le plus ou moins d'écus qui y a fixé le rang qu'il occupe.

Un seul sentiment réunit à l'instant toutes les opinions, c'est l'attachement aux privilèges de la magistrature, et les privilèges de la magistrature ne sont autres que les abus de la magistrature, la considération, les droits du magistrat. Voilà ce qui forme l'esprit de corps, et j'avoue que je ne peux revenir de ma surprise quand j'entens le parlement parler de bien public et ce public hébété répéter après le parlement que le bien public est ce que le parlement appelle le bien public.

Je ne connais sur la terre aucun tiran aux yeux duquel le peuple soit un être plus vil, plus abject, qu'aux yeux d'un président à mortier du parlement de Paris. En est-il un seul

à commencer par l'infâme qui les préside tous qui ne croie fermement que le peuple français est fait pour servir les parlemens et non les parlemens pour le service du peuple?

Quand un conseiller s'avise de faire du bruit dans les chambres et d'y élever une discussion il est certain qu'un intérêt bas, sordide le meut; et pour peu que l'on cherche à connaître ses entours l'on verra que l'amour de la célébrité—et par cet amour je n'entens pas l'amour de la gloire, mais bien de cette célébrité qui met à un prix plus haut le silence d'un infâme qui veut se vendre,—le mécontentement d'un ministre, l'avidité, l'ambition, toutes les passions les plus dangereuses animent et font parler ces soi-disant pères de la patrie, et qui sont à la France mourante ce que sont des vautours à un cadavre.

Nul corps n'est imbu de plus de préjugés et de préjugés plus cruels que le parlement. Il y a tel conseiller au parlement plus avide de sang humain que le bourreau, et Néron Pasquier[1] est à mes yeux plus horrible que le Néron de Rome et que tous les bourreaux de l'Europe.

Ce corps prétend au droit de juger les voleurs (?) et a réclamé avec assez de fermeté contre ces commissions établies par le tiran pour égorger avee le glaive des lois les victimes devouées à sa haine et à celle de ses ministres. Mais quand le parlement réclame un infortun proscrit par la cour c'est souvent l'honneur de le lui immoler qu'elle ambitionne. Elle ne voit dans des commissions que des rivaux odieux et songe bien plus aux récompenses que mériterait aux membres d'une commission le sang d'un innocent qu'au bonheur de conserver l'homme proscrit par l'autorité. Eh, grand Dieu! comment dans cet amas de boue, dans cet égout public pourraient germer l'amour de la justice et cette fierté d'âme qui fait trouver dans le bonheur de sauver l'innocence la plus douce de toutes les récompenses?

Que si l'on a vu le parlement défendre quelqu'un avec chaleur c'est que ce particulier était de son corps et qu'alors l'intérêt de tous est que le salut d'un particulier annonce la sauvegarde générale.

[1] M. Pasquier was imprisoned under the Terror and guillotined in 1794.

Je ne connais pas un seul homme estimable dans le parlement de Paris et pendant deux ans j'ai cherché a y estimer au moins un individu.

Tel est le parlement de Paris. Il est le 1er du roiaume: par cet exposé jugez des autres.

Je ne scais si le roi a eu ou non le droit de le détruire, mais si le gouvernement était bien ponderé je pencherais pour l'affirmative. Les parlements sont des cours de judicature; le 1er devoir du roi, le seul peut-être que le souverain ne peut lui ravir est de rendre à son peuple la justice distributive.[1] Quand il ne peut y vacquer lui-même il nomme des juges au peuple qui décident en son nom les cas où s'aplique telle ou telle loi. Il serait absurde de vouloir forcer celui à qui un devoir personel est imposé de se choisir des représentans inamovibles. Ainsi je pense que si les états généraux se rassemblaient, ils ne pourraient ravir au roi le droit d'établir des juges sur la nation.

Le roi ne peut ôter à un juge son état sans lui faire son procès, parceque le roi étant un homme est mu par des passions qui peuvent égarer sa justice. Il faut qu'un particulier qui aplique le voeu de la loi à un jugement particulier n'ait point à redouter pour lui-même la vengeance d'un ministre et la violence d'un tiran. Mais autre chose est l'inamovibilité d'un corps de magistrature. Il n'est pas croiable et peut-être n'est il pas possible qu'il se trouve jamais un tiran assez frapé pour anéantir une cour de justice dans un tems où tout le monde voit et où tout le monde parle et cela pour satisfaire la haine d'un de ses sujets. Mais il est possible que l'esprit d'un corps judiciaire soit tellement corrompu qu'il faille l'anéantir pour en établir un autre et en ce cas là on doit en détruisant la magistrature déclarer le magistrat inamovible, c'est-à-dire que chaque juge doit pouvoir se dire, je suis impérissable comme individu et je ne peux périr qu'avec mon corps. Voilà toute

[1] The *Gouvernement de Pologne* has a parallel in the statement that Kings are naturally the supreme judges of their people. (*Pol. Writings*, vol. II, pp. 162–3.)

la sûreté que la loi peut et doit accorder au magistrat. Ainsi suivant moi s'il existait un gouvernement français légitime le roi eut aurait pu anéantir ses parlemens.

En cette occurence il l'a détruit sans examiner le principe de son autorité, et cela est juste. Il faut que ces parlemens de lâches et de traîtres soient brulés par la foudre dont ils ont attisé les flammes. Si ces brigands eussent toujours ramené l'autorité aux principes dont elle découle, si constamment ils eussent tenu aux principes de M. de Malesherbes,[1] le roi aurait été fort embarassé.

Si au premier impôt établi sans l'aveu des états généraux le parlement eut dit; nous n'examinons pas si cet impôt est utile ou s'il est superflu, de tels soins ne sont pas confiés à notre vigilance, mais forcés de reconnaître dans les états généraux le souverain légitime à qui appartient le droit de voter les charges publiques, nous serions des traîtres si nous donnions l'appui de la loi à des impositions illégitimes.

De cette manière le parlement se serait dépouillé de ce droit odieux de servir la rapacité d'un maître, mais il eut allégé la tiranie et c'est à juste titre que la nation eut uni son existence à la sienne.

C'est en donnant aux rois le droit tiranique d'établir l'impôt qu'ils lui ont confié l'autorité des despotes. Quel mal y a-t-il qu'ils sentent une fois dans leurs flancs les poignards qu'ils ont si longtems acérés?

Est-ce un mal pour la nation que la destruction des parlemens? Ah, c'est ici que je m'éloigne des idées communes. Je serai peut-être seul de mon avis mais j'en deviendrais le martir si je croiais que mon sang peut me donner des proselites.

Je regarde l'anéantissement des parlemens comme le coup mortel porté par un tiran à la tirannie, je la vois de ses mains déchirer ses entrailles.

La français est un peuple avili, cela est prouvé; mais le français

[1] In the spring of 1771 Malesherbes, who was President of the *Cour des Aides*, had published a Remonstrance which obtained wide publicity and approval. (*v.* Carcassonne, *op. cit.*, p. 449.)

n'est pas encore un peuple vil. Vous sentez qu'en écrivant ceci j'ai les regards fixés sur les provinces. Il faut pour le ranimer que les outrages du despotisme s'accumulent autour de lui non progressivement, mais qu'ils se pressent sur sa tête et que ses coups redoublés ne lui offrent ni relâche ni asile. Il faut qu'il se voie sans autre appui que ses forces et qu'entre le tiran et lui il n'apperçoive que des esclaves et de sauveur que des glaives.

L'insolence perfide des parlemens attaquoit toutes les facultés du peuple. Il est insouciant, léger, toujours prêt à confier à autrui ses plus précieux intérêts, le simulacre de resistance des parlemens le flatant et suffisant pour calmer son effervescence.

Les rois qui je ne scais pourquoi craignaient cette risible fermentation frapaient de grands coups mais à de grands intervales. Ainsi d'une part l'existence des parlemens distraient les peuples de la défense de leur liberté et de l'autre forcaient les tirans à l'attacquer peu à peu et avec ces précautions qui affermirent pour jamais la tirannie.

Désormais voilà la vérité connue, le phantôme evanoui. Il reste en France un maître, des soldats ou des bourreaux, et 20 millions d'hommes faits pour être libres. Si dans vint ans les inepties des rois n'ont pas produit la liberté je consens à perdre la tête.

Le peuple sentant enfin que pour être le maître il n'a qu'à le vouloir, il verra qu'il n'a qu'un seul ennemi, et il sentira qu'il n'a que ses propres forces pour lui résister.

Son premier regard sera terible, ses premiers cris seront ceux de la victoire, des torrents de sang jailliront peut-être, mais ils cimenteront l'édifice de la liberté. Une fois que le peuple aura senti sa force tout est dit, il n'y aurait d'autre crainte à concevoir que celle de ses excès. Mais au point où ses tirans l'ont réduit tout excès est légitime et tout paillatif mortel. Il faut retenir l'air (?) poir elever un nouvel édifice, et ce ne sont pas de légers travaux qui peuvent éloigner les décombres mais le fer et la flamme.

J'avais jadis inspiré ces mêmes pensées à un contrôleur des

finances, par la grâce du hasard honnête homme, qui ne cessa pas de l'être en occupant le poste des fripons.

M. de Silhouete voulait le bien public, il le voulait au dépens de sa vie, mais il craignait la résistance des parlemens; car sois sûr que le premier obstacle qui arrête un ministre populaire c'est l'idée du parlement, qui tient aux abus parce que les abus le font vivre phisiquement et politiquement. Je lui dévelopais mes principes, je poussais les choses au pire, et je cherchais à enflamer son âme d'un saint zèle. Je lui disais, si le parlement arrête votre activité lorsque vous chercherez à soulager le peuple, laissez le peuple et frapez sur ses opreseurs. Mais avant de les attaquer dites-vous bien j'attache mon existence à leur ruine et je veux mourir si je ne les anéantis.

Je l'exortais à choisir pour ses coopérateurs quelques uns de ces hommes faits pour instruire et parler au peuple et maîtriser ses opinions. Je voulais qu'il associât à son œuvre tous les gens de letre, et je lui avais fait sentir leur prodigieuse influence quand chacun, frapé dun projet, veut le faire goûter et prend pour cela les raisons qui sont dans le génie de son esprit.

Il fallait de graves discussions, des écrits politiques, des écrits logics, des écrits satiriques, des épigrames et des chansons.

Au milieu de ces conjurés je venais porter ma tête et ma plume. Je me chargeais de parler aux hommes, s'il en existe encore, et je jurais d'enflamer tous les cœurs si j'y retrouvais une étincelle d'énergie.

Aidé de ces coopérateurs je voulais qu'il osât jetter le flambeau dans ce repaire infect et je lui répondais que personne ne s'opposerait à la sainte rapacité des flammes. Je m'étais mis hors de moi en lui exposant ce projet. Cependant, j'écoutais ses raisons et je vis le bout de l'oreille. Il tenait à sa place. Il y tenait plus qu'à sa vie. Je me tus mais je lui prédis alors qu'elle lui serait ravie et qu'il perdrait à la fois sa réputation et son honneur. Mon seul tort en cette occasion fut d'avoir jeté de grandes idées dans une petite âme.

De tous les coquins qui lui ont succédé aucun n'a voulu le bien public et cet instant perdu ne se retrouvera jamais.

Aujourd'hui une intrigue de cour anéantit les parlemens et leur perte dénuée de ce noble motif que j'inspirais à M. de Silhouete n'en sera pas moins utile à la liberté publique.

Voilà Cécile mon avis sur ce qui se passe, mais pardonne si j'ai mis autant d'incoerence dans cet écrit qu'il y en a dans mes idées.

Il n'y a que toi seule au monde qui peut me forcer à m'occuper de ces objets auxquels j'ai renoncé pour toujours.

Mais vivre avec Gleichen et parler de la liberté, de bien public, de vertu et de gloire, c'est éprouver son influence.

Cécile, la vie, l'existence de ton ami est en tes mains, et je n'ignore pas que je te confie J.-J. Rousseau. Cette letre peut me perdre et me perdrait.

Si je fais là une folie je la fais bien complète, car elle se présente à moi sous tous les traits de la raison.

J'éprouve un plaisir si doux à te confier mon existence que quelque malheur que put m'attirer ton indiscretion je le croirais paié par les plaisirs dont je m'enivre en me disant, elle dispose de tout mon être.

Ne brule pas cette letre. Tu peux la lire à mon enfant,[1] mais non pas la lui confier. Qu'elle ne sort jamais de tes mains, qu'elle y reste. Ne fais rien pour qu'elle soit connue après ma mort, mais qu'elle te survive. Peut-être dans un autre siècle sera-t-il utile aux hommes de connaître mes idees sur cet objet.

Et puisque les français doivent me fermer les yeux et recevoir mes cendres, je veux qu'il existe en des mains fidèlles un dépôt de ma reconnaissance.

On pouvait dire mieux que moi et dire beaucoup plus. Jai franchi toutes les idées intermédiaires et je m'en aplaudis; on concevra par mon silence même quel génie doit avoir celle à qui j'adressais cette letre. Il a fini. J'ai m'en faite un monument mon méprisable de l'enthousiasme et du sentiment qu'elle m'inspire. On dira, ce vieillard put cependant l'adorer d'une manière digne d'elle.

[1] d'Antraigues himself.

APPENDIX IV

THE D'ANTRAIGUES MSS.

(2)

PARIS, 7, 7re, 1774

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C'EST en étudiant avec soin les mœurs de ces siècles si fortunés, si ignorans de nostre futile scavoir, si riches en sentimens et en sensibilité, que j'ai conçu que l'amour du pais natal était sûrement au-dessus de l'amour de la patrie et en différait sous tous les rapports. L'amour de la patrie est ce sentiment factice que conçoit un citoien pour son pais, qui pour lui est une patrie parce qu'il y jouit de ses droits d'homme et de citoien. Ce sentiment se compose d'amour pour sa patrie et de mépris pour tout ce qui lui est étranger. L'ambition, la gloire de sa patrie deviennent son ambition et sa gloire, son univers est l'enceinte de sa ville ou la frontière de pais. C'est là qu'il vit, c'est pour ce coin du monde qu'il veut vivre et mourir. Là est son existence, partout ailleurs se trouve pour lui un bannissement, un exil. Voilà ce que fut l'amour de la patrie pour les grecs et les romains.

L'amour du pais natal est plus naturel et moins héroique. En le considérant abstractivement, l'amour du pais natal existe partout, il ne connait aucun mode de gouvernement. L'amour du pais natal n'est autre chose que cette forte et indélébile reminiscence qui se grave toujours plus avant dans les cœurs pour les pais où se développèrent nos premiers goûts, nos premiers penchants, nostre première passion. Environnés d'appuis dans la tendresse de nos parens, de protecteurs dans tous nos voisins, d'amis dans nos contemporains, la première jeunesse se passe d'ordinaire au milieu d'une continuité de bienveillance, car l'enfant excite ce sentiment dans l'être le plus féroce, et l'enfant, n'inspirant ni jalousie ni méfiance, armé de toute son innocence