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ROUSSEAU: EQUALITY AND THE STRUCTURE OF POLITICAL

Summary

In this article the author discusses Rousseau's idea of equality, emphasizing that it refers to the very structure of the political in one of the greatest thinkers of political philosophy. The very possibility of politics is presented, as it is argued, in the eventual form of the social contract. From this, politics appears as a rare but specific event that enables human freedom which in itself is intrinsically egalitarian. The way in which popular sovereignty is constituted here at the same time appears as a leading trace for contemporary thinking.

Key words: equality, popular sovereignty, the structure of the political, democracy, freedom.

INTRODUCTION

Doubtlessly, a lot has been written on Rousseau's relation to both Kant and Marx (the "two poles" that still in one way or another influence contemporary thinking), in practically endless debates between liberalist and socialist traditions. *Pro* and *contra*, these analyses, in their search for the "true" Rousseau, usually focus on selected texts from either *The Social Contract* or *Discourse on the Origin of Inequality* or Rousseau's other writings and letters.¹⁾ This is partly due to Rousseau's own inconsistencies and contradictions, but perhaps more importantly the debt is to be found in his *discrepancies*²⁾ which therefore, rather than presenting a lack, actually demonstrate both the uniqueness and non-reducibility of his work, testifying exactly about the impossibility

1) Attempts to comprehend the "whole" Rousseau and, therefore, more convincing examples of two decisive ways of reading can be found, for example, in Cassirer's work *The Questions of Jean Jacques Rousseau* and Della Volpe's *Rousseau and Marx*.

2) We refer here to Althusser's *decalage*, which points to theoretical functioning of the fundamental philosophical object and to the very 'problems' Rousseau's theory elects. Its analysis leads to the theoretical function of the philosophical system in which Rousseau proposed to think politics. See, Althusser, L. *Montesquieu, Rousseau, Marx* p.113-114.

of its definite classification within the framework of standard divisions in political theory and philosophy.

If, however, Rousseau's walk always remains solitary - and may be precisely as such a permanent inspiration - this does not mean to say that certain motives expressed in his thinking do not point to the path of that walk, especially regarding the crucial question of the structure of politics, recently summed up by Badiou in a formula according to which in Rousseau equality *is* politics.³⁾ In one sense, this essay can be understood as an attempt to analyze this formula, together with its opposite, namely that inequality *as such* is something significantly *anti-political* and that such a claim here is neither Arendtian nor Habermasian.

From the other side, speech about the *being of politics* in Rousseau – our theses runs - cannot be separated from Rousseau's reflections on civil society, its origin, characteristics and functioning. These reflections, which bring into light numerous consequences of Hobbs's thinking, are to be followed up with Rousseau's constructive insights on the possibility of establishing an association of free individuals and democracy. By means of necessity, this pulls up the theme - indisputably of present importance – of *egalitarian liberty* as politics of true democracy, furthermore, of politics *itself*, understood therefore not in sense of techniques of ruling and domination, developed through different forms of (neo)liberal theories, but as a philosophical inquiry of the act by which *people is a people*.

To reflect, therefore, on the act how a people becomes a people, of what is true foundation of society, is to reflect about the structure of the political. For this act simultaneously presents the act of forming an association where freedom is maintained and egalitarian liberty constituted, the act of unification that affirms the particular and the act of 'total alienation' which comes about as a non-exchangeable and non-refundable total gift. *This total gift is equality*. People becomes a people by constituting itself as political subjectivity, by giving themselves in order to gain themselves, and only in such a context the being of politics and being of society are expressed.

The role of morality and education, the dilemma as to what extent the issue is a juridical one, the relation of politics with empirical reality, the distinction between power and will, are just some of the themes that appear side by our leading question: *how is politics possible?* Or, what is *the possibility of politics (of equality) in civil society?*

3) Badiou, A. *Being and Event* p. 347.

THE EVANTUAL FORM OF THE SOCIAL PACT AND RARITY OF POLITICS

Rousseau's *Social Contract* demonstrates a *theoretical* analysis of the political in the highest sense. The concern here is about the *conditions of possibility* of event of politics, about its legitimacy and justification that comes into one with its existence, found in its very procedure. The decisive moment to be understood is that for Rousseau *politics is possible exactly because it belongs to the field of possibility and not necessity*. This is Rousseau's crucial polemic against Hobbs: the social pact is not necessary and that is why politics has nothing to do with force, violence or its superseding.⁴⁾ To suppose such a scenario means not only to suppose a minimalist conception of politics, but to posit it both externally and instrumentally, as a necessary tool for survival. As later on taken up by Schmitt, the idea here is that the enemy is constitutive for the political, and that the originary state of nature is actually never cancelled but only transfigured on a different level – the weaker (even after the 'establishing' of politics) still losses, and the rule of the stronger remains in force.

But if the Hobbsian-Schmittian anthropological paradigm is of decisive influence for their understanding of the political, furthermore, if politics is nothing other but a repetition (although on a different level) of the state of nature, isn't Rousseau caught with a similar problem, in which exactly his humanitarian conception of man enables the social contract, and even more, enables its functioning in civil society?

The answer is no. In spite the fact that Rousseau's description of the state of nature might appear as overly romanticized and for certain tastes overly optimistic, the point is that it has practically nothing to do with the event of the political, exactly because politics is a matter of possibility and therefore of (rational) chance. It might and might not take place; it is a human creation of *collectivity* that takes places through a social pact. Moreover, for Rousseau it's a *rare* event. This means not only that the political has neither any direct or necessary connection with the state of nature, let alone connection with vital needs, but even, and no less significantly, that it has not much to do with empirical reality of states and civil obedience either. Politics has nothing to do with apolitical and anti-political. It is not dependent on acceptance of any (even Rousseau's own) particular anthropology. Its only *presupposi-*

4) See Rousseau, Jean Jacques. *The Social Contract*, pp 43-48. Here Rousseau demonstrates both that politics cannot be founded on "the right of the strongest" and that it cannot depend on conventions sanctioning the effects of violence (such as the submission of the slave to the master). Also see Rousseau, Jean Jacques. *The Discourse on the Origin of Inequality*, p. 74.

tion is, as Althusser rightly notes, one that is at the same time its very *constitution*, namely a *plurality*, *multiplicity* that originates from an immanent relation to the *self*. Beginning from this it becomes clear that politics is not one of singularity but of “people.” The social pact itself is exactly this becoming of the political as multiplicity that is actualized in the event.

From the other side, it is important to realize that although Rousseau strongly opposes Hobbs’s minimalistic conception this in no way implies that his solution is a maximalistic one. On contrary. Rousseau’s *proceduralist* conception of politics exactly proves that it is not a structure supported by being in any way: the structure of the political is that it has no structural base. Exactly for this reason, politics is a vulnerable and fragile human creation that is always on the very edge of its own disappearance.

But what does it mean to say that politics is *rare*? It certainly does not mean that apolitical i.e. *natural* is dominant. One of Rousseau’s greatest and typically modern insights – of decisive importance for political theory – was exactly that a *return to nature* is not possible. Even the desired description of the state of nature serves as a theoretical paradigm and in no way as an actual historical claim about human being.⁵⁾ Or, if politics is only possible, nature is not even that: its impossibility, its non-existence is derived from reflection that culture and civilization are always at play. The discourse on nature, however, has a significant function of reminding of one fact of nature: *freedom*. This enables Rousseau to say that “*man is born free and yet everywhere he is in chains*”⁶⁾ and that, therefore, civilization and civil society far more often present a direct negation of the political than its realization.

This is to say that Rousseau’s reference to natural freedom is also a strategic one – namely, as to the only theoretical possibility that remains possible even with the impossibility of nature as such and/or any particular anthropology. Natural freedom, the fact that ‘man is born free’ is independent on any discourse on nature and speech about human essence. Theoretical recognition, therefore, of this only theoretical possibility, is a *precondition* for the event of politics. Natural freedom is a *sine qua non* for thinking of politics as collective freedom, freedom in and of multiplicity and its articulation – although, certainly, civil freedom is founded on conventions (and figures as negation of natural freedom).

5) In a somewhat similar manner the social contract is not a historically provable fact either. Nor is Rousseau interested in historical localizations, but in “hypothetical and conditional reasonings.” See Rousseau, Jean- Jacques, *Discourse on the Origin of Inequality*, p.38.

6) Rousseau, Jean Jacques. *The Social Contract*, p.41.

This is why Rousseau writes that “the problem is to find a form of *association* in which each, *while uniting himself with all*, may still obey himself alone, and *remain as free as before*. This is the fundamental problem of which the Social Contract provides the solution.”⁷⁾

But, again, why is politics such a *rare* event? If its first condition is - as Rousseau theoretically demonstrates - human freedom, the second and decisive lies in understanding the link between freedom and *equality*: that the “chains”, as unfreedom, always refer to inequality in society and, consequently - that freedom cannot subsist without *equality*. The issue of formation and preservation of inequality for Rousseau goes further than the fact that empirical reality of civil society for the most time presents such a case. Rather, it has to do with *inner logic* of civil society, its origin and functioning (what we will return to), and, on the other side, with Rousseau’s insight that exactly because political freedom is possible only as equality it is matter of a *rare event*.

The social contract is such an event, in which theoretical and structural indetermination and independence are directly actualized in politics as free human creation, and in which the creation of multiplicity beginning from relation to the selfhood is formalized by Rousseau in the split of the particular will to participation (in sovereignty) and submission (to the laws). It is in respect to these “two”, as Badiou rightly notes⁸⁾, that “one” that is *the people*, the subject of politics, is created.

This split of the particular will generates the appearance of *general will*, which for its norm has *equality*. As such, general will is the relation of the people to themselves, the event of simultaneous recognition of *all* and their mobilization i.e. the event *from all to all*, from people to people. This way it stands as *popular sovereignty*. Or, in other words, “if the people promises simply to obey, it dissolves itself by this very act, it loses its quality of *being a people*; as soon as there is a master, there is no more sovereign, and the body politic is destroyed forthwith.”⁹⁾

Rousseau’s modern insight that the general will is *intrinsically egalitarian* - and that this is directly connected to *existence of politics* - carries the *juridical* manifestation as its mode of appearance. This means that it is a matter of *laws*, but the question is not one of their approval or disapproval but whether *they conform to the general will of not*. To say that general will determines the political is to say that it evaluates the proximity of laws and statements to the social contract

7) Rousseau, Jean-Jacque. *The Social Contract*, pp 49-50.

8) Badiou, A. *Being and Event* p. 346-347.

9) Rousseau, Jean-Jacque. *The Social Contract*, p. 57.

– people’s decision of whether it is theirs or not. Political decision for Rousseau refers, therefore, to the very issue of *what is politics*, and its measure is people’s belonging to themselves.

To say that politics is rare is to say that *existence of the people* is rare. This is the way in which the eventual form of the social contract is realized: the *event* is the act in which *the people becomes a people*, a self-relation as relation to all. Such is the way in which the generic character of politics is expressed in Rousseau. That is why neither parliamentary representativity nor any form of ‘partial society’ have any place here. *Unanimous consentment*¹⁰⁾ means exactly that all opponents, if they might appear, remain external, outside of the *event of politics*, apolitical or anti-political, and in such sense ‘foreigners amongst the citizens’.

INEQUALITY AND CIVIL SOCIETY

Rousseau’s further argument for his idea that the event of politics is rare, and that fragile human creation of a collectivity is a chance,¹¹⁾ refers to understanding of history of *civil society* as marked by *inequality*. “The first person who, having enclosed a plot of land, took it into his head to say *this is mine* and found people simple enough to believe him, was the true founder of civil society.”¹²⁾

Not only does Rousseau here – admittedly, in a typical Marxian manner, as underlined so many times – recognize that the origin of inequality was the *idea of private property*, but that it was civil society, development of human faculties and ‘progress’ in the history of mankind, that “true source and theatre of all history”, that created the *world* of private property and, consequently, the master-slave relation.¹³⁾ Only

10) Badiou emphasizes that, however, if the social pact is unanimous the issue remains of how a generic character of politics can subsist when unanimity fails.

11) In this sense it can be noted that both ‘versions’, which insist either on Rousseau’s optimism or – more frequently – pessimism, seem equally unjustified.

12) Rousseau continues: “What crimes, wars, murders, what miseries and horrors would the human race have been spared, had someone cried out: “Do not listen to this imposter. You are lost if you forget that the fruits of the earth belong to all and the earth to no one!” See Rousseau, Jean-Jacque, *Discourse on the Origin of Inequality*, p. 60. (Later on in *Confessions* Rousseau explicitly wrote about the *Discourse on the Origin of Inequality* as the ‘work of the greatest importance’. Although here we simultaneously analyze *The Social Contract* and *The Discourse on the Origin of Inequality* as equally relevant.)

13) Rousseau also writes: “As soon as it was found to be useful for one to have provisions for two, equality disappeared, property appeared.” emphasizing that “the law of property and inequality transformed a skillful usurpation into an irrevocable right, and for the profit of the few ambitious men henceforth subjugated the whole of mankind to labor, servitude and misery.” Ibid, pp. 37.

in such a world the emergence of competition and rivalry, greediness, wickedness, the category of *interest* - and therefore conflict of interests - was not accidental. Such a world, the world of Hobbsian *state of war*, produced total *anti-politics*, in which human relations, even in 'peace', were based on threats to life and natural freedom.

The point is, as it is emphasized in *The Social Contract*, that the state of war was and could have been constituted solely through the relation between *things* and not between men, i.e. that *property relations* were the initiator of *anti-politics*. The emergence of private property, as described in the *Discourse on the Origin of Inequality*, was recognized by Rousseau as the last stage of the state of nature and the fateful stage in human evolution. It was the stage in which civil society authorized *political inequality*, consisting in "different privileges enjoyed by some at the expense of others, such as being richer, more honored, more powerful."¹⁴⁾

This process also, as its significant aspect, contained the habituation of being a slave, of human being becoming weak, fearful and servile, or appearing as a master up to the point in which it seemed practically *natural*. Or, more precisely, while the first stage of inequality was the establishment of the law and of the right of property, the second stage, according to Rousseau, was the institution of the magistracy, and the third and final stage was the transformation of legitimate power into *arbitrary* power. The class division into rich and poor was authorized in the first epoch, and as such presented the beginning of political inequality. The forming of "weak" and "strong" was constituted in the second period, and the master-slave relation, together with habituation to it, appeared with spreading and dominance of arbitrary power. What remains the same in all of these stages - and all conceivable future stages of inequality as well - is that the "*multitude* is oppressed" and "that this the oppression continually increases."¹⁵⁾

In the final stage of inequality, actual and possible, where everything is returned to the *law of the strongest*, individuals 'become equal again, because they are nothing.' One of the decisive moments and Rousseau's emphasis here is that all that has previously been ascribed to the *savage man* actually belongs to the *civil man*, and that previous discourses transferred to the state of nature the ideas that can be found only in society. This way, they also attempted to present *political inequality* as *natural (inequality)*. In addition, and even more importantly, the inner logic of civil society, its production of political inequality, re-

14) Ibid, p. 38.

15) Ibid, p. 78.

quired the use of natural inequality, and in such a way that it established itself on the difference between *being* and *appearance*.

Appearance become decisive because *deceit* was recognized as necessary for functioning of *anti-politics*: "It was necessary for man, for his advantage, to show himself to be something other than what he in fact was. *Being* something and *appearing* to be something became two completely different things, and from this distinction there arose grand ostentation, deceptive cunning, and all the vices that follow in their wake."¹⁶ Anti-politics as politics of inequality, therefore, was realized through the split between being and appearance¹⁷, such that the civil man lived 'outside himself', in a self-produced externality which is actually his dependence on appearance (to others). Such a dependence created individuals who live only externally to themselves, in and through the opinions of others, and therefore in a permanent state of disharmony, in the split between the "inner" and the "outer". In this sense Rousseau reminds that under bad governments equality also is only *apparent* and *illusory*,

Consequently, it is civil society, functioning in the mode of "*as if*", in which everything - including honor, friendship and virtue - becomes "factitious" and "play-acting", where, in Rousseau's terms, reason without wisdom and pleasure without happiness are realized.¹⁸ That is the "reasonability" of civil society.

What is at stake, therefore, is not only Rousseau's problematization of the concept of "nature" and the "state of nature" but of "civilization" as well. Moreover, it refers to the whole paradigm in political

16) Ibid, p. 67.

17) In Arendt's terms, this is the contrast between the Socratic formula "*Be* what you are!" and Machiavellian one that is "*Become* what you are!" and "You are as you appear to be!" In Marx's analysis of the relation between essence and appearance – as a part of his critique of Hegel's statement that "essence must appear" – it is demonstrated that there can occur a "hiding" of essence. In that situation, the relation between essence and appearance creates the illusion of their independence (as in bourgeoisie society), which is the historical concealing of the actual connection between essence and appearance. For Rousseau, however, the emphasis is on the split that occurs in civil society, and on the role of appearance for its maintenance. This way Rousseau recognizes one of the crucial phenomena of the modern world and its relation with production of (anti)political inequality and instrumentalization of natural inequality. Furthermore, this stands as one of the first acts of self-critique of modernity, as diagnosis of its own critical condition. On the other side, this insight should in no way be understood as pleading for any "essentialization" but, rather, for the event of politics as creation of true statements – and political i.e. free subjects.

18) Doubtlessly, this description resembles Marx's famous description of the bourgeoisie, in its action of creating the world to its own image: "Where it has come to power the bourgeoisie has obliterated all relations that were feudal, patriarchal, idyllic. It has left no other bond between one man and another than *naked self-interest*. It has resolved personal worth into *exchange-value* and in place of hard won freedoms it has established a single freedom – conscienceless free trade." See Marx, K. *The Communist Manifesto*, pp. 3-4.

thinking of *status civilis contra status naturalis*, in recognition of force as the initiator of slavery, and that the struggle and competition of private interests, appearing as the main vehicle of civil society, dislocates the meaning of both terms.

All these motives enable us to say that the state of war (*homo homini lupus est* attitude), as civil society, emerged as the state of human alienation in which, with the development of human faculties ‘self-respect’ was transformed into *particular interest* – *amour de soi* into *amour propre*. Rousseau reminds that such a situation of general competition, rivalry and men becoming *enemies*, could have been established only among those who understood themselves as *private individuals*. Where slavery exists, what remains is only private interest. In that situation there is ‘*neither private good nor body politic*’.

VIRTUOUS PEOPLE

As Althusser notes, Rousseau’s ‘total alienation’ in the social pact unfolds as the answer to this state of complete human alienation.¹⁹⁾ *Politics as the answer to anti-politics* articulates itself through *freedom* – as the insight that *people as people cannot sell themselves*.²⁰⁾ That is the meaning of *egalitarian liberty*, of liberty as justice: it is the right of all to the social recognition of their personal qualities and abilities. This is to say that the social contract as the act of ‘total alienation’ of the individual, simultaneously presents the *creation of community*, in such a way that one gives himself to his own freedom. Furthermore, in difference to the Hobbsian paradigm: “the nature of the social pact is private and peculiar to itself, in that *the people only contracts with itself*.”²¹⁾ This is the way in which direct democracy is articulated in Rousseau.

Aside from the decisive moment of creation of the political, Rousseau’s answer to the situation of inequality lies in concrete economic reforms and proposals that no citizen should ever be wealthy enough to buy another and no one poor enough to sell himself. Economic equality here comes with political equality, since it is exactly the recognition of the *private will in the general will* that forms the *virtuous citizen* who reaches such an understanding. In *Discourse on Political Economy* Rousseau emphasizes that economic justice is one of the most important tasks and that the greatest evil has been done where there are poor peo-

19) See Althusser, L. p.126-128.

20) See Rousseau Jean-Jacque, *The Social Contract*, p. 45.

21) See Rousseau, Jean-Jacque, *Emile*, p. 425.

ple to defend and rich to restrain. Rousseau reminds of the crucial role of the process of education, which enables such understanding: "It is not enough to tell the citizens, be good; they have to be *taught* to be so. Every man is virtuous when his particular will conforms in all things to the general will."²²⁾ Public education, therefore, presupposes the life in the *midst of equality* and general will i.e. not to want what the society does not want. One of the consequences here is that, therefore, the so greatly emphasized process of enlightenment and education of men to become *citizens* cannot be reduced to their becoming *moral* persons in Kantian sense (as Cassirer would have it). If one is to speak of ethics here, it would either have to be in a derivative or modified sense, such that (understanding) equality – and first of all multiplicity that originates from an immanent relation to the self – is the central theme.

All of these are different aspects of Rousseau's, in Hegel's terms, '*wild idea of the people*', of popular sovereignty that tells us that the state is *the people* and that they are the real sovereign. In such context *equality*, of such a kind that people 'though being unequal in strength and talent, all become equal by convention and right' is created. Such equality is conditioned by the recognition of the potentialities or freedoms of all, of people who become a people in the act of forming the general will. Rousseau reminds that "it is to *law* alone that men owe justice and freedom" and that "it is this voice that dictates the percepts of *public reason* to every citizen, and teaches him to act in conformity with the maxims of his own judgment, and *not be in contradiction with himself*."²³⁾

For Rousseau this means the following: if politics is possible because it belongs to the field of possibility, and if it comes into existence through the event in which people constitute themselves as people (and as such originates in equality), then its becoming, from one's relation to oneself in non-contradiction of multiplicity, is formalized in law as public reason, through which virtuous people confirms themselves as free and just – i.e. as citizens.

22) Ibid, p. 15.

23) Rousseau, Jean-Jacque. *Discourse on Political Economy*, p. 10.

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РУСО: ЈЕДНАКОСТ И СТРУКТУРА ПОЛИТИЧКОГ

Сажетак

У овом чланку аутор разматра Русоову идеју једнакости, подвлачећи да се она односи на саму структуру политичког код једног од највећих мислилаца политичке филозофије. Могућност политичког појављује се, као што се у чланку аргументише, у облику догађања друштвеног уговора. Политика се на тај начин јавља као редак али специфичан догађај који омогућава и ствара људску слободу као инстринсично егалитарну. Начин на који се народни суверенитет овде конституише у исти мах је зато и нит водиља за савремено мишљење.

Кључне речи: једнакост, народни суверенитет, структура политичког, демократија, слобода.

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