
The Social Contract Theory of Jean-Jacques Rousseau

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Abstract

The paper presents Jean-Jacques Rousseau's social contract theory within the context of the period in which it was created, and also in relation to the previous, modern contract theories. The authors indicate the complexity and interconnection between the general will and sovereignty, which Rousseau saw as the basis of the contract which caused the exit from the natural state and the foundation of the political body based on civil liberty. Unlike his predecessors, Rousseau viewed the contract, as well as the republic, in a rather ethical context than a legal one, so he understood the political community as the creation which was founded on the morale of its citizens and integrated due to the civic virtue. Such an idea further led the author towards the consideration of education within the spirit of civil religion, which he saw as the moral base of a unique and undivided nation, in which all the individual and particular interests were declared as hostile and destructive elements of the social body. The collectivistic energy of Rousseau's theory would soon become the main source of inspiration to the Jacobins and the revolutionary terror in France after the Revolution.

Keywords: Rousseau, social contract, the state of nature, the general will, sovereignty

The Social Contract Theory of Jean-Jacques Rousseau

Certain authors believe that all that is considered modern within social thought started with the theories of the social contract, and culminated with the Enlightenment (Milosavljević, 2008). If we agree with such a claim, we can say that Rousseau is one of the most important thinkers of the modern epoch. However, this author is very different from his predecessors, both the founders of natural law and social contract theories, and the Enlightenment founders. Unlike the modern contractualists, Rousseau's understanding of the social contract was not based on the Constitution as the legal foundation of the state order, but it was more ethical in nature and was based on the moral homogeneity of the general will (Molnar, 2012, p. 12). Similarly, although he was close to the Enlightenment because he lived at that time, Rousseau also expressed resentment towards it. While, on the one hand, he wanted to be integrated into the Enlightenment circles of Paris, on the other, he never adapted himself to such ambience (Đurić, 2010, p. 314; Molnar, 2012, p. 8). His criticism of the Enlightenment was reflected in his own belief that it introduced scepticism into a society that disintegrated the love for one's homeland, and the opposition towards this movement was first expressed by Rousseau in his work "Discourse on the Arts and Sciences" (1750).¹

Instead of an unconditional affirmation of reason by the Enlightenment, Rousseau's view of human nature, state and society were closer to Romanticism. Such sentiment culminated in his idealistic view of Geneva, which he considered the achievement of the positive transition from the natural into the government state, without the temptation of corrupting humans, which was an inevitable part elsewhere. Rousseau's Romantic wandering, imagination, and (republican) fantasy, which were interwoven into his political philosophy, were influenced by the invention of the novel as a form of literary work, which had been his passion since childhood (Molnar, 2013). Besides enjoying novels, Rousseau also had a tendency to wander through nature outside the city walls, which resulted

¹ Despite the criticism he directed at the Enlightenment, Rousseau deeply inspired one of the greatest philosophers of the Enlightenment, Immanuel Kant (See Cvejić, 2012).

in the intellectual shaping of Rousseau as a Romanticist. Having been more and more convinced that all evils originated from civilisation, he believed that it was necessary to find again the lost golden age and think about the possibility of building a Republic on Romantic ideals. This attitude of Rousseau was integrated into his social thought and understanding of the state of nature, social contract, general will, sovereignty and state, which represents the subject of this paper.

The Modern Contractualism

The theories of the natural law and social contract have a long tradition, which goes all the way back to the Classical period, that is, to the teachings of the sophists and Epicurus. However, the social ambience of the modern era would be beneficial for their blooming, when more radical questioning of the sense of state, sovereignty, political authority, and human nature started. It was during the 16th century that Bodin, monarchomachs, Althusius and Grotius explained the idea of sovereignty and the contractual relationship as the model of creating a government, thus establishing the grounds for the flourishing of contract theories in the 17th and 18th centuries. As it was claimed by Neumann, the dialectics of freedom and coercion were one of the greatest dilemmas of modern political philosophy: “The history of political thought in the modern era is the history of that attempt to find justifications for both the power and the rights, as well as for the law and the pressure. There is no political theory in which both would not be tried” (Neumann, 1974, p. 176).

The social framework of the creation of the social contract as a socio-philosophical concept lies in the modern-era ambience of the European West, the rise of trade and economic life, where numerous relations started to be regulated by contracts more than before (Milosavljević, 2008, p. 78). However, it should also be stressed that the social contract as a concept of the creation of the state was already present with Independents, protestant believers with the expressed antiauthoritarian attitude who explained the foundation of the Church by the contract.² Nevertheless, it could be said

² Independents are a group of different Protestant sects founded in the 17th century in England

that numerous tumultuous events at the beginning of the modern era influenced social contract theories (the Renaissance, Protestantism, revolutions) in the same way as the teachings by Hobbes, Locke and Rousseau transitioned into an entire ideology that played a part in socio-political turmoil in the countries of modern Europe and the shaping of their statehood.

In general, it could be said that the aim of the theories of natural law and social contract was to explain the creation of the state and to justify political authority, based on the interests of those who made the contract and their acceptance which was grounded in the sphere of rationality. Each of the authors who advocated contractual understanding of the state had a different view of human nature and the state of nature, but also the limits of political authority over an individual. However, regardless of the differences among authors, contractualism as a theoretical approach had an important emancipating role, both explanatory and regulatory, thus understanding the legitimacy of the state as an expression of a contractual act of people, instead of referring to the divine origin of the government (Stevanović, 2008, p. 16).

One of the most influential thinkers of the social contract theories is Thomas Hobbes. His view on human nature was such that he believed that a human being was essentially neither good nor bad; what made him/her such as the circumstances in which he/she lived. Therefore, through the descriptions of interpersonal relations in the state of nature in "Leviathan", we encountered certain anthropological pessimism: when there was no coercion nor supreme authority, an individual was an egoistic being willing to jeopardise others for his/her own interest (material gain, fame, honour, reputation). A spontaneous consensus on the key questions regarding a shared life in the state of nature was impossible, nor was it possible to establish a concept of justice. A man is a wolf to another man, and the state

which fought for democratization of the Church and the state. They believed that the Church was created by the contract of the believers who founded it with a clear conscience, but, according to their understanding, the state is a product of the contract of free citizens, who founded that political body according to the principle of freedom of reason (Molnar, 2001).

of nature was the state of constant war or danger (fear) of war and permanent insecurity regarding survival resulting in a rational decision on joining a political community whose main goal would be to provide security. In summary, the passion which drove a human to make a reasonable decision to enter a political society was fear.³ A willful renunciation of a part of one's own freedom, according to Hobbes, was a matter of acceptance based on an individual's rational decision on the long-term interest and was justified by security which was possible only if there was a supreme authority – a sovereign (Hobs, 1991, p. 175). The power of a sovereign in Hobbes' *Leviathan* was almost absolute and the subjects had a small amount of freedom.

Although John Locke also realised the inconveniences of the state of nature, which originated from human nature, he, however, did not claim that humans were prevalingly egoistic or non-solidary in a pre-political state. On the contrary, Locke stated that *the law of reason* led people to cooperate and respect the moral rules of life, and therefore, anyone who made an offence was the subject of a punishment proportional to the offence. However, despite that, Locke realised that the state of nature abounds in numerous problems which stem from human nature and which, first of all, refer to self-will and bias, especially regarding punishments for offences. Such inconsistencies could be overcome only through a social contract which could be used to establish a just political order whose authority could resolve civil disputes objectively and without bias and guarantee the respect of natural rights: the security of life, freedom and property (Lok, 1978, p. 51). Unlike Hobbes' theory in which the contract could not be broken because everyone signed it with everyone else, in Locke's theory of social contract, the rebellion against the tyrannical government did not cause the breakdown of the society and due to this, the government could be changed if it did not guarantee the preservation of the aforementioned natural rights.

³ Hobbes' understanding of fear is close to scholastic tradition, according to which fear is seen more as a consideration and activity of reason than an expression of emotion. Understood in this way, fear has a positive role, and it is a source of driving activity with the aim of foreseeing and overcoming forthcoming misfortune (Molnar, 2001, p. 190).

All in all, after Hobbes and Locke laid in a most consistent manner the foundations for the social contract theory in the 17th century, Rousseau made it prominent again a century later, within the ambience of the Enlightenment, which was not, in general, very favourable towards these theories. His view on human nature, and accordingly on the state of nature as well, was very different from the modern contractualism view, the same way as his idea of the state was based on the critique of rationalism, intertwined with the spirit of Romanticism and the faith in a civil virtue which he considered a moral pillar of the Republic. Also, Rousseau's conceptual framework will be less sharp and precise in some sense, but as Đurić claims, Rousseau's prowess is not in the logical rigour of his thought, but in the inspiration and sincerity of his words (Đurić 2010, 313).

Contractual Nature of the State as a Moral Political Body

The myth of a good indigenous individual or a noble savage in the form of a social thought occurred during the Renaissance, due to the geographic discoveries and the discovery of the New World. The descriptions of Christopher Columbus spoke idyllically about the kindness and naivety of the population in newly found territories: they were timid, beautiful and childish, but hospitable and they lived in communities that were founded on the grounds of equality, without private property. This newly discovered "earthly paradise" quickly gained a theological and prophetic framework of interpretation, in which the New World was a Promised Land from the Old Testament, which announced the end of the world (Servije, 2005, p. 117). Rousseau adopted the myth of the noble savage, but in his interpretation, it was devoid of utopian imagination, as well as theological argumentation and biblical prophecies, and it was going to be used for the construction of a more complex Republican politically philosophical theory.

In Rousseau's moral psychology, an individual, by nature, was not a being who was determined by morality as such, but by biological predispositions which were included in the instinct for self-sustainability and compassion (Bertram, 2020). In his works "On the origin and bases of inequality among mankind" (1755) and "The Social Contract" (1762), Rousseau commenced

with the description of the state of nature and claimed that in the state of nature an individual (a savage) was born free and equal,⁴ thus satisfying his/her modest needs. He/she lived in a state of happy ignorance. By nature, he/she was neither good nor bad, without vices but also without virtues. A savage had no idea of the good, which did not necessarily mean that he/she was mean (Ruso, 1993a, pp. 152–153). What distracted him/her from evil was not the mind and the law, but the lack of knowledge on vices. Life was mostly solitary, and cooperation relations were entered into as needed, and then the “natural” people were ruled by the principle of solidarity. However, with the increase of population, the needs became more complex, and they could not be satisfied by one’s own efforts only; therefore, individuals were oriented toward each other in order to satisfy them until the first communities were formed in the form of settlements (Ruso, 1993b, p. 147). At the same time, that was the key moment of the first larger transformation of people, which led them towards negative passions, such as competition and greed, and then the occurrence of private property, which became the source of evil (Bertram, 2020).

Rousseau described this as the overcoming of reason within the soul when an individual exits the state of „innocence”. The final result of such a process was the creation of the state through the social contract, as the act based on reason. A civilised individual was egoistic and suppressed the relations of social solidarity and mercy which were characteristic of the “natural” human being; therefore, life in civilisation and political society was imbued with exploitation, both economic and political. However, Rousseau did not have illusions about the return to the state of nature because he considered such a process impossible; however, he tried to find the equation of social life according to which life under the government would manage to incite solidarity and compassion in citizens, instead of greed.⁵ He found

⁴ Inequalities stem from nature and people differ according to physical strength, age, health quality, and intellectual capabilities (Ruso, 1993b, p. 137).

⁵ Rousseau describes the fall of man, what man has become while civilizing himself, but does not giving up on the elaboration of the idea of what man could have become and wrote about it in

the solution for breaking the chains of civilised life in a romanticised representation of a republic in which the citizens were full of love towards their nation and homeland, instead of love towards themselves and egoistic interests. The civic ethos was the connective tissue of Rousseau's nation, in which the suppression of egoism established the principle of collective self-sustainability of the state-nation (Molnar, 2002, p. 20). Therefore, through theoretical postulates, Rousseau's republic managed to bring back mankind into the sphere of feelings and affective relationships which together merged into love towards the nation, without returning to the original state of nature. Considering Rousseau's idea, Mihailo Đurić claims that the author went even further than Plato in his quest to unite politics with ethics, i.e., to enable the sphere of politics with moral duty.

However, in order to get to the republic postulated on the principles of civic virtue, Rousseau turned towards the theoretical construction of the social contract (as an act of abandoning the natural state and entering something that he called the political body) and the attempt at legitimisation which was drawn from the general will and civil liberty. Like other contractualists, Rousseau also theorised that the social contract was an act of breaking up with the state of nature which is reflected in giving up "natural" freedom for protection. It was signed among the members of the society, thus bringing into the community their personalities and strength, guided by the general will. More precisely, the social contract was an act of reason through which free people, in order to protect themselves and their goods, created a moral collective body, thus giving up their natural freedom and submitting to the general will. This led to the form of community "which would defend and protect with all of its strength the personalities and goods of each member of the society, and through which everyone, connected with everyone else, would still listen only to themselves, and thus remain as free as they had been before" (Ruso, 1993a, pp. 35-36).

The overcoming of the contradiction that individuals gave up their

The Social Contract" (Filonenko, 1993, p. 868).

freedom is reflected in the fact that, since everyone invested all of their personality and all of their power, it did not transfer onto someone else, but remained for everybody. Therefore, according to Rousseau, it was not until we gave up natural freedom that we became free.⁶ It was understood, of course, that this was a new and different form of freedom, which could not have existed before the contract, and that was a civil, or as Rousseau named it, moral freedom: “In order not to be wrong in these considerations, we should make a good distinction between natural freedom, which is limited only by the strengths of individuals, and civil liberty, which is limited by the general will...the aforementioned could be supplemented with moral freedom, as another gain from the state of being a citizen, the only one which makes an individual his/her own true master” (Ruso, 1993a, p. 39). Rousseau also pointed out that a contract that would imply absolute authority and submission without limits was not possible (Ruso, 1993a, p. 32) because that would contradict the nature of humans and would imply giving up one’s freedom.

Having given up everything and having gained everything, a unique moral and collective body was created: “A common I (which) has its own life and will” (Ruso, 1993a, p. 36). In such a way, the created body now had its own life, and it did not represent a mechanical sum of wills. That public/general personality used to be called a city, and now it is called the Republic or political body, while its members call it the entity: *the State* – a passive creation (when its members obey the laws); *a Sovereign* – an active creation (when the laws are passed); *the Government* (when it refers to the execution of laws) (Ruso, 1993a, 36).

Among other things, Rousseau saw the outcome of the social contract as the transition from the state of nature into a political body,

⁶ The solution to the problem of giving up freedom, according to Rousseau, was in his conceivable assumption that the greater freedom of an individual meant the greater power of the whole. This can be accomplished exclusively when everybody has the *certainty* that everybody else will give up everything. Everybody gives up everything, and everybody wins: The obligations that connect us to the social body have to obey only because of the fact that they are mutual (Ruso, 1993a, p. 47).

because the contract cancelled all-natural inequalities which were replaced by general equality: “Instead of destroying natural equality, a basic contract, on the contrary, also replaced inequality, which the nature could create for people with legal equality, so that they could become equal on the basis of the contract and the law although they could be unequal in strength or talent” (Ruso, 1993a, p. 42).

It is important to point out that unlike Hobbes, whose concept of the contract implied individuals (as contractual parties) who signed the contract among themselves, Rousseau’s contract was signed by the people, that is, the community with itself, which represented a divergence from the idea of other modern contractualists and was contrary to legal logic. That showed that his understanding of the social contract was primarily political, and not juridical (Milenković, 2012). Rousseau stated that “this was the agreement between one body and each of its members: the agreement was legitimate because its basis was the social contract; righteous, because it was shared by all; useful because it could not have any other subject but common good; firm, because it was guaranteed by public power and supreme authority. As long as the subjects were under the submission of only such agreements, they submitted themselves to no one but their own will” (Ruso, 1993a, p. 48).

In that sense, Rousseau also introduced the distinction between the people, the citizens and the subjects as the essential members of this new body. *The people* represented all united members of the community (commune), *the citizens* as the members of the body were those who participated in the sovereign authority, and they were called *the subjects* if they adhered to laws (Ruso, 1993a, pp. 36–37).

Rousseau understood the community in an organicist sense, and he emphasised that the sovereign authority was absolute in the same way as “an individual had an absolute authority over their limbs” (Ruso, 1993a, p. 47). A citizen had to answer the state for all the services it required, while the state could not ask of him/her anything that was not useful for all. The authority of the state over an individual lay in the laws, as well as the crystallisation of sovereignty and the general will, and, in order to be righteous, the law

had to be based on *generality*. Moreover, no law could build its authority by calling upon God, but only by being in accordance with the general will. Rousseau pointed out that the purpose of each legislative system was directed towards two main goals: freedom and equality. According to his conception, equality did not imply the same level of authority and wealth, but equality before the law, as well as the fact that authority could not use violence in conducting the law. On the other hand, when he wrote about property inequalities, Rousseau stated that no one should be so wealthy that he/she could buy the poor one, nor was it good that there was such poverty that would force someone to sell themselves. That is why he concluded that moderation was a virtue and that the achievement of the principle of equality assumed that the wealthy should be moderate in property and loans, and the poor should be moderate in stinginess and greed (Ruso, 1993a, pp. 62–63).⁷

General Will and Civil Pedagogy

The general will could manage the state according to the goal due to which it was established, which, according to the author, was – the common good. Rousseau believed that there had to be a common social connection among the members of the society, that is, a point upon which all members of the community would agree despite their different interests. That place of merging culminated in the general will, without which, as Rousseau claimed, no society would have been possible (Ruso, 1993, p. 43). He claimed that the general will was a pure act of understanding of each individual who overcame their passions, that it defined the expectations they had for one another, and that it regulated their relations (Rousseau in Molnar, 2012, p.

⁷ It is interesting that despite everything, Rousseau allows dictatorship as a temporary form of ruling which suspends laws in order to establish public security (Ruso, 1993a, p. 116). The basis for such claim Rousseau found in an emergency in which certain circumstances demand, just like in unpredicted social situations to which the laws could not be adjusted. Since they were passed slowly and demanded procedures, in critical situations when the homeland needed saving, the skill which surpassed the legislative body and which was handed to “the worthiest one” was necessary (Ruso, 1993a, p. 116). However, when the urgent need is over, dictatorships become groundless.

12). However, Rousseau made a distinction between *the will of everybody* and *the general will* and pointed out that it was a sum of differences, where, after they were neutralised, there remained a *general will*, as the author named it (Ruso, 1993a, pp. 45–46).⁸ Furthermore, the author defined the will of everybody as the sum of individual wills and private interests (privileges) and stated that it could be wrong, while the general will was a collective will that always strived towards general benefit and equality, and which was *unmistakable* as such. Such a definition still remained quite abstract, as well as contradictory; however, Rousseau believed that in well-organised societies, there were no contradictions between the will of an individual and the general will, because the citizens realised that their personal interests could not be different than the collective one.⁹ However, in reality, the overlapping between individual and general will was at lure, because Rousseau realised that there were challenges that could jeopardise it. One of them lay in insufficient education or the lack of virtue among the members of society, which resulted in the fact that individuals did not accept the limitations to their own wills that came from the state and the law. It was why Rousseau believed that civic virtue was the basis of both the establishment and the longevity of the general will. The second “challenge” lies in the existence of group interests which could be in collision with the common, state interest. The greater the state, the greater the possibility of internal fractions (spatial, emotional, political), and only in smaller states cohesion that maintains the general will and prevents the erosion of society is possible (Bertram, 2020).¹⁰ In that aspect, Rousseau believed that the general will was articulated only through the direct passing of laws by citizens, which led the author towards the conclusion that the general will as such was *unerring* and based on righteousness. To sum up, it could be said that according to Rousseau direct

⁸ „Take from those wills those “plusses” and “minuses” which cancelled each other, and the general will remain as the sum of differences” (Ruso, 1993a, p. 46).

⁹ By adhering to laws, individuals protect their freedom from somebody else’s self-will, and in that aspect personal and common interests overlap in the widest sense.

¹⁰ The smaller the republic, the greater the freedom.

passing of laws and the rule of law are the basis of the state and the connective tissue of the society founded on the general will.

This is where we come to the next key notion of Rousseau's political philosophy, and that is the notion of sovereignty.¹¹ It is a concept that, like other Rousseau's concepts, is quite complex, especially having in mind that the author in some works equates sovereignty and general will, as well as sovereign power and the state (See Ruso, 1925). In any case, in Rousseau's theory, the sovereign represents a political body (republic), when it is active, that is, when it passes laws, and it represents the proclamation of the general will. The only activity of the sovereign is precisely the enactment of the law, which is why the will of the sovereign is simple and indivisible. The domain of sovereign power is not the manifestation (application) of laws, but exclusively their enactment (Ruso, 1993a, p. 45),¹² while the implementation of laws is the task of the government (See Milenković, 2012, p. 143).¹³ Apart from being indivisible, sovereignty is also inalienable, because, as Rousseau claims, "power can be transferred, but not the will" (Ruso, 1993a, p. 43). The indivisibility and inalienability of sovereignty are reflected in the collective being represented by itself.

The supreme body of the republic and the place of articulation of the general will is the assembly as a body of direct democracy and it consists of all citizens (those who have civil rights). The strength of a republic based on the general will is based on the ethics of the citizens who make up the assembly, because the passing of laws must be based on moving away from personal interests, as well as particular ones resulting from the group and party affiliations. Such a thing is achieved if the citizens are under the rule of customs that are part of the "sacred" past and general legislation, which brings Rousseau closer to the glorification of pre-

¹¹ More in Pavlovic, 1997.

¹² At this point, Ruso significantly dissociate from Hobbes, according to whom the right of the sovereign is not only the process of passing the laws but also the direct implementation of will in the field of internal and foreign policy (Hobs, 1991, pp. 181–191).

¹³ In Rousseau's theory, judicial authority, unlike in the theories of Locke and Montesquieu, is not an independent branch of government but is incorporated into executive power.

modern, i.e. rural society (Molnar, 2012, p. 14). However, Rousseau's focus in "The Social Contract" is not on rural society, but on examining the possibility of founding one indivisible nation in the form of a republic. According to him, this goal can be achieved through civic pedagogy, specific education which consists of the "production" of a citizen who would be able to identify with the state as a whole.

It should be immediately noted that the sacralization of politics, i.e., the nation, the social contract or the constitution and the law, is not unique to Rousseau but is a feature of the era of revolutions and it was present among educators as well. Denis Diderot says that love for the fatherland is a political virtue that lies in feeling, not reason, and consists in the fact that to the citizen public interests are dearer than his own. The idea that civil religion is the ethos of the federation was the belief of the founders of the United States of America, who also believed that the divinization of the homeland was the basis of the moral unity of the political body (Dentile, 2009, p. 66). Rousseau devoted a lot of time to this problem, because, as it has already been said, he saw in the civic ethos the possibility of achieving national unity. In the last chapter of "The Social Contract", he criticizes Christianity, stating that it does not encourage civic virtue and that Christians in war "know better to die than to win" (Ruso, 1993a, p. 125). On the contrary, the author praises Sparta and Rome, because their soldiers were driven by a fiery sense of love for glory and the fatherland. Christianity encourages tyrannical rule and the spirit of slavery, and as such, it cannot be the dominant religion in the republic that Rousseau desires. He agrees with Hobbes who he mentions and praises, regardless of obvious differences in their theoretical positions. Only Hobbes, as Rousseau observes, saw that Christianity destroyed political unity and introduced double power and constant conflict between priests and rulers over jurisdiction, and proposed that "both eagles' heads to be joined" (Ruso, 1993a, p. 122).

Criticism of the Christian religion, however, does not lead Rousseau to think that another religion could be an adequate cultural and moral basis for one indivisible nation. On the contrary, he finds the solution in the civil religion that does not spread through confession like faith, but its

meaning is in the sense of sociability that it produces in the individual and makes him voluntarily and proudly merge into the national collective. According to Rousseau, it is necessary for a child to suck love for the fatherland along with breast milk, from which it clearly follows that the process of civil socialization must begin at birth. The teaching of civil religion is characterized by simple, concise and few positive and negative dogmas: the existence of an almighty, reasonable, charitable, and protective deity, the afterlife, the happiness of the righteous and the punishment of the wicked, as well as the sanctity of social contract and law are positive. In contrast, the negative dogma is one: intolerance (Ruso, 1993a, p. 127). Rousseau, namely, claims that there should not be one religion, but it is possible that there will be more of them that are in a relationship of tolerance, but all of them must be subordinated to the republic and dedicated to the affirmation of civic duties. On the other hand, tolerance must not exist for those who are not loyal to the civic religion and do not fulfil their duties. If it is impossible to convince someone of the national *credo*, the sovereign should be expelled from the community, not as an infidel, but as an opponent of society (Rousseau according to Đentile, 2009, p. 68).

However, if we follow Rousseau's romantic idea of a single nation bound by the civic ethos of its members, the existence of endangerment must be assumed, whether it comes from outside or from within. Although the element of a common enemy that gathers members of the national collective in solid unity is only implicit, it is a necessary precondition for the unity of Rousseau's republic, and without it the emotional and moral merging of a political body is unattainable (Molnar, 2002, p. 21). If there is no external enemy, then we should turn to the internal ones, those who are considered not loyal to the nation and undermine the social values of the republic.

Such exclusivity leads us to another controversy related to Rousseau's name, and that is the implications of his theory on the French Revolution. The general opinion is that Rousseau was the inspirer of the fanaticism of the Jacobin dictatorship and revolutionary tyranny, which is why some consider him responsible, but there are also those assessments according to which this is actually a misuse of Rousseau's thought. Thus, Mihailo Đurić believes

that the philosopher did not ideologically build a political theory that would call for a revolution and the demolition of the existing (Đurić 2010, p. 316), while Alexis Philonenko claims that “The French revolution may have enabled the belated recognition of The Social contract as a political piece, but there is no regime that, all invoking Rousseau, has more obviously betrayed the writer” (Filonenko 1993, p. 867). However, regardless of whether we see Rousseau as the "culprit" or as a misinterpreted author, it is indisputable that his doctrine had an indirect impact on (post) revolutionary events in France, and that it went out of the field of academic debate and had an important role on one of the greatest historical events (See Nikolić, 2012).

Conclusion

For the theoretical construction of the state created by the social contract, Rousseau, among other things, found inspiration in the Spartan polis, but we can also notice the notional closeness that he shared with the ancient philosophers. The intertwining of law, morality and politics, in the way that law becomes the driving force of morality, and morality of politics, is the basis of the political philosophy of both Plato, Aristotle and Rousseau. Just as Plato's state has a moral and pedagogical task, so Rousseau advocates collectivism and drowns the individual in the moral purpose of the state, even coercively. On the other side, when discussing civil virtue and political community, Rousseau is close to Aristotle. For both philosophers, namely, man acquires civil liberty only in the state, where he is morally shaped and self-realized, developing himself as a being which Aristotle calls the *zoon politikon*.

Although Rousseau's influence is most evident in the works of the Romantics, his “philosophy of feelings” also enchanted the educator Immanuel Kant, causing him to reflect on his philosophy. Although Kant does not explore the “natural” man, the one who is isolated from society and civilization, he did not hide his enthusiasm for Rousseau, and he himself claims that Rousseau is responsible for his more complex view of human nature and respect for feelings as special capability of the soul. Rousseau's influence on Marx can also be acknowledged, especially in the fact that they both speak about the

alienation of civilized man and see private property as a social reflection of human greed. However, in the end, Marx disagrees with Rousseau, because Marx optimistically builds a revolutionary and utopian vision of society, while Rousseau was neither an advocate of revolutions nor a utopian. Rousseau knew that even a system based on civic virtue must eventually fail because every regime carries the germ of failure and inevitably moves towards its end of existence, and political wisdom consists in the ability to postpone this end. In this respect, Rousseau's work can rather be called a counter-utopia in which it is discussed what a man could have been, but not become (Filonenko, 1993, p. 875).

At the time of its creation, "The Social Contract" was not such a popular piece and hardly a copy of this book was present in the libraries of Paris. The turnaround happened in the decade after the French Revolution, when Rousseau's book was printed in thirty-two editions, which, however, should not be interpreted as a sign of full implementation of Rousseau's ideals in the new French society. In fact, there is no basis for claiming that the post-revolutionary regime was institutionally similar to Rousseau's ideals, primarily in that it was a representative system rather than direct democracy. On the other hand, the influence of Rousseau's ideas on Robespierre in the age of terror is evident. The persecution of the internal "enemy", accusations and trials without witnesses, and the guillotine, became a practice in 1793. Such tyranny was justified by the necessity of spiritual rebirth of the French nation, which must be an accompanying element of the overall political transformation of society. The introduction of the Supreme Being cult and the negation of Christianity were also inspired by Rousseau's "The Social Contract".

Apart from the criticism that consists of the predominantly negative influence on the post-revolutionary currents in France, Rousseau is also confronted with the perceptions which are recognizable as the ideological inspirer of political regimes called totalitarian. In the fascist and communist states, crimes were also committed against those who were lightly and unfoundedly declared dissidents, all under the pretext of preserving state unity and public morals, in a direction of defence of what would be represented

as a general will. Therefore, it can be said that despite the desire to establish the republic on the ideal of freedom, Rousseau in his construction of the state does the opposite and suppresses freedom, failing to bypass the element of repression, which cannot be justified.

In the end, Rousseau, as a writer, can certainly be criticized for the fact that the concepts he develops are insufficiently sharpened and unclearly defined, but, regardless of that fact, the greatness and originality of his ideas cannot be disputed.

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Ugovorna teorija Žan-Žaka Rusoa*

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Sažetak

U radu se daje prikaz teorije društvenog ugovora Žan-Žaka Rusoa u kontekstu vremena njenog nastanka, ali i u relaciji sa prethodnim, modernim kontaktnim teorijama. Ukazuje se na složenost i isprepletenosti pojmova opšte volje i suverenosti koje Ruso vidi kao osnovu sporazuma kojim se izlazi iz prirodnog stanja i utemeljuje političko telo zasnovano na građanskoj slobodi. Za razliku od svojih prethodnika, Ruso sporazum, kao i republiku, pre posmatra etički nego pravno, pa političku zajednicu vidi kao onu tvorevinu koja se temelji na moralu njenih građana i integriše zahvaljujući građanskoj vrlini. Takva ideja autora je dalje odvela u pravcu razmatranja vaspitanja u duhu građanske religije, koju je video kao moralnu osnovu jedinstvene i nedeljive nacije, u kojoj su svi pojedinačni i partikularni interesi proglašeni neprijateljskim i razgrađujućim elementom društvenog tkiva. Kolektivistički naboj Rusoove teorije uskoro će postati glavni izvor inspiracije jakobincima i revolucionarnoj tiraniji u Francuskoj nakon revolucionarnog prevrata.

Ključne reči: Ruso, društveni ugovor, prirodno stanje, opšta volja, suverenost

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