

## REREADING ROUSSEAU THROUGH DURKHEIM AND CHARVET

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### **Abstract**

*Rousseau is considered to be the most debated among other social contract philosophers. His idea of political society that carries the genesis of general will makes him a champion of democracy in its real sense. He has been also a significant contract theorist for his understanding of both individual liberty and political legitimacy. However, his idea of contract philosophy is interpreted in many different ways.*

*This paper aims at discussing two modern thinkers' interpretations of the Contract Philosophy of Rousseau. The first one is by a well-known sociologist, Emile Durkheim (1960), the immediate successor of Rousseau. Another one is a political scientist namely John Charvet (1974) who thrives to read Rousseau very aptly. The main aim of taking these two interpretations is to show a genealogical interpretation of Rousseau that carries both of a sociological and a political perspective.*

### **Keywords**

*Contract theory, general will, political society, Durkheim and John Charvet*

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The theory of social contract assumes the existence of a state of nature as the initial condition of human life which was subject to no political control and postulates the emergence of the political state through voluntary agreement or contract by the inhabitants of the state of nature. The social contract theory at the outset aims at a mutual government that has to be purposely agreed upon by the individual and state. Thus, this is a tacit agreement between the state and citizens concerning the political authority of the state. There are some leading contract philosophers who endorse this theory with their most prolific upshots. The theory has received comprehensive treatment in the writings of Hobbes, Locke, and Rousseau. However, Rousseau has been one of them whose philosophy is no doubt distinguished from others regarding his views on the idea of state of nature and contract theory. The present paper attempts to comprehend on certain interpretations of Rousseau's contract philosophy.

#### **Durkheim on the Origin of Society**

Before starting the debate about the origin of society, it is worth noting in the sense to understand it in a chronological order to discuss Durkheim's idea on Rousseau's state of nature. However, in the previous chapter, the idea of the state of nature has been discussed elaborately. There is no need to repeat it again here. Thus, it can be seen that there is a continuity of both the idea of state of nature and society. Moreover, it may seem that we are going away by elaborating the idea of society as such from philosophy. But it is Rousseau whose contract theory itself suggests that there is a development of the state of nature and what he calls as a society and finally it has the further development e.g. contract. Thus, in this way, there are three stages of Rousseau's contract philosophy in a chronological order, it can be written as the state of nature, society, and contract.

Being a sociologist, Durkheim views about the origination of society which according to him takes place only when there is some external cause. The external cause may be what he believes that individual's physical needs. Those needs make them to stay together. Here compared to the idea of state of nature with this group life, one can easily observe the interrelation between human beings is more communitarian than the state of nature. Though Rousseau doesn't directly say that man in the state of nature is in a solitude but at the same time, there was also no group life in the state of nature. Thus, it is a society where people became dependent on each other. So, in this context Durkheim says,

“Thus, the first extension of physical needs creates a slight tendency to form groups. Once their groups are organized, they in turn arouse social inclinations. And once men have got used to being together, they find it hard to live alone. They

grew accustomed to gathering together. Having begun to see one another, they could no longer dispense with seeing one another. This gave rise to new ideas about human relations, the need for civility, the duty of respecting contractual obligations. An embryonic ethics came into being. It was approximately at this point that savages ceased to be savages.”<sup>1</sup>

So, for him, there is no hindrance to making human life to be settled under civil order. And this state can be assumed as the development of the state of nature. This so-called group life exists no longer. The reason is that human beings became self-centered, in Durkheim’s language, “but as soon as there began to be rich and poor, powerful and weak, the beginnings of society gave away to the most terrible state of war.”<sup>2</sup> So it can be said that the inequality status of humans self-causes the state of war and this inequality status came to be noticed because of the self-centeredness of human beings which is natural to everybody. Thus, Durkheim goes with Rousseau, claiming that, “the state of nature is not as Hobbes thought, the origin, but rather an effect, of the social state,”<sup>3</sup> what he means is that the of state of war is not a cause to be blamed and it is no more natural too, since it is an output of social reality. However, it is clear that if there were no greed of private property then there would have been no state of war at all. Human beings found out a possible solution in the name of establishing rules and regulations, for that state of war, thus the origin of civil society came to exist.

However, it is a human being’s natural tendency that the more one has, the more one wants. So, the tendency of inclining towards worldly objects may be natural but the origination of a state where the human self exists that can’t be natural. Thus, Durkheim argues that “It is natural causes that lead man gradually to form societies. But this does not make society a natural phenomenon, for it is not logically implicit in the nature of man. It was not man’s original constitution that constrained him to enter social life, the causes of which are outside of human nature, adventitious.”<sup>4</sup> One more reason is that what Durkheim views about society as not to be natural, the very beginning of society when it comes to existing, is not itself sufficient to make society. Thus, Durkheim considers the society to be a human art and which is merely a man-made product that can’t be at the same time a gift of nature.

Durkheim perceives another reason to take society not as natural is that, the interdependence nature of human beings which is contrary to nature. And he links with Rousseau’s famous line that man is born free and everywhere he is in chain, thus the parts of this statement are literally contrary to each other. That chain is nothing but the dependency of human beings in social reality, however, that dependency lacks in the state of nature where he was completely free. To quote

Durkheim in regard to the idea of dependency of human nature, “The first violation of the law of nature led to a second, when men became unequal, they became dependent upon each other. Consequently, society is composed of masters and slaves. The masters themselves, in a sense, are the slaves of those they dominate. This interdependence of human beings is contrary to nature. Men are naturally independent of each other.”<sup>5</sup> Thus the relationship between human beings, which has the root of depending on each other, has become a “chain”<sup>6</sup> in Rousseau’s language, that can’t be natural.

### **Durkheim on Body Politic**

It can be argued that human life is literally impossible to be a part of the state of nature and thus a well-constituted society can be the only place to be opted. The problems which were formed in the state of nature are that the harmonization of the liberty, equality, and individualism. This problem can be solved by the creation of the required association e.g. the political society, on the basis of a social contract to which each and all members of the society consented. However there can be a question that does political society suit human beings as Durkheim views, “the social environment would affect social man in the same way as the natural environment affects natural man”.<sup>7</sup> Here Durkheim’s presupposition looks convincing, in the sense natural law is the fate of every individual in the state of nature likewise the laws which are made in social reality may act as natural laws. However, the superiority of social law is different from natural superiority. Natural laws are beyond human beings’ control but when it comes to society, human being is all in all. Thus, Rousseau justifies social laws by imposing the power of rationality. The term rationality came to effect in social system. So, Durkheim says, “Thus man will be able to emerge from the state of nature without doing violence to the law of nature, on condition that they unite in societies dependent upon a force or system of forces that is based on reason and dominates all individuals”.<sup>8</sup>

A political system that is not based on rationality but on individuals’ forcefulness can’t be an ideal political society according to Rousseau. Thus, he rejects dictatorship. The body politic should be based on reason which can run for the welfare of everybody. Durkheim is very straightforward in this context, he assumes, “Even if the right of the stronger could be justified rationally, it would not provide a basis for society. A society is an organized body in which each part is dependent upon the whole and vice versa. There is no such interdependence in the case of a mob subjected to a chief. Such a mob is an aggregation, but not an association”.<sup>9</sup> The difference between aggregation and association is important here, the former makes the dominance over everybody without their concern and that is

by force; however, the latter one is solely by every individual of the state who alienates their personal right for the whole and most importantly it is based on rationality. Durkheim further says, “The chief’s interests are different from those of the mass. That is why the multitude, which was united only so long as it depended upon him, breaks up when he dies. In order for there to be a people, the individuals composing it must be and feel united in such a way as to form a whole, whose unity can’t be achieved by the ruler’s will, it must be internal. The form of government is secondary”.<sup>10</sup> The will of a physically strong man who desires to act over other wills must be different from the united will, one may argue that an individual having all physical force to control over a mass may have a good result from an ethical point of view. As long as that particular man wants to do well for the mass, he can proceed but the problem arises when that man changes himself or acts in a different way, or ceases to exist. In that way, an association can’t act like that simply because this system is not a one-man ruling system. This understanding of aggregation and association may have the later form of autocracy and democracy respectively.

The social contract or body politic has to be primarily by everyone under a legitimate political system that is perhaps the contract philosopher’s minimum need for establishing a constituted society. However, making it possible may take slightly different ways among different contract philosophers. Durkheim explains about the contract which resolves both the individuality and generality; thus, he says,

“By this contract, each individual will vanish into a common, general will, which is the basis of the society. The force thus established is indefinitely superior to the sum of the forces of all the individuals. It has an inner unity, for in entering the association the component parts have lost some of their individuality and freedom of movement. Since the alienation was affected unreservedly, no member has a right to complain. Thus, the antisocial tendency inherent in each individual simply because he has an individual will is nullified.”<sup>11</sup>

So, the mechanism of body politic seems to be dependent on individuality as well as a collectivity. It is an individual process as far as the community is concerned and vice versa. The importance of both two has to be identified. Once it developed into a mutual phenomenon, there can’t be any kind of conflict between the whole and part. Because any individual who alienates his personal right to a tacit political whole neither fights further for his right nor disagrees with the whole.

Individual submits his freedom in the assurance of getting back the security of himself, which means that collective will takes care of him. What Rousseau implies here is that if everyone is making sure of entering into the contract, there would not be any personal issues regarding the function of the state. It works as if everybody is

master of everybody and nobody is master of nobody, in the sense while making the contract everybody has to sacrifice and in return what they get back is common to all. That common thing commands all which may imply, mastering of all. This may be called as the internality of the whole. However, the idea of nobody is the master of nobody takes the external turn, which means no one cares about anyone because they ensure that they are governed by someone (whole) which is impersonal.

The sense of freedom in a civil state is convincing and desirable. And his argument for this form of freedom continues, “An individual’s freedom is now based, not on the amount of energy available to him, but on his obligation, deriving from the fundamental contract, to respect general will. This is what makes individual freedom a right”.<sup>12</sup> Submission of individual freedom gives rise to conquer civil rights which is politically desirable.

Talking about the equality stand it civil state which takes a new form unlike the state of nature, which is reformed by the civil state. As Rousseau firmly believes that man in the state of nature is equal which is truly given as a gift of God or nature. But in the civil state, it is equal again, not by someone like nature or god but by the body politic, in a sense by every individual of the state. Everyone is made to be equal in a civil state but the problem arises when it also holds the right of occupancy. Thus, his explanation looks clear and politically correct. It is politically correct because it talks about the both opposite things the right to occupy and the right to equality. However, the legitimacy of his view in this context is valued.

Durkheim’s views on the nature of man in civil society take a radical change in comparison to man in the state of nature. Human being in society has a certain right and duty to convey his responsibility. A sense of ethics has been introduced in civil state.

The ethical nature of human beings is not imposed on them by an external force. Either it can be said in another way that man in a civil state is mutually convinced to manage himself. The moral order can never be established by a material force. So, he says, “Thus the moral order transcends the individual, it does not exist in material or immaterial nature, but must be introduced. However, it requires a foundation in some being, and since there is no being in nature that satisfies the necessary conditions, such a being must be created. This being is the social being”.<sup>13</sup>

Durkheim claims that Rousseau was unjustly criticized by certain critics because of his remark that individual freedom has to be alienated. Rousseau assumes that it may lead to despotism unless individuals alienate their freedom. It seems Durkheim is convinced with Rousseau’s argument and he shares the same view.

Durkheim attempts to discover a moral standard in civil state which is prearranged by Rousseau, unlike the earlier situation that a society without body

politic. The critics' main approach on the very idea of individual freedom, does not mess up in a civil state rather it transfers itself to a moral being by abiding by an impersonal force.

### **Durkheim on Sovereignty**

Once the idea of a contract is introduced, there must be something to carry forward it, and that something is sovereignty. In other term, it is a legitimate form of government that is acceptable by the people of a definite state. It is the way of exercising body politic. Sovereignty continues to make new laws on its body, in this way it has been called as a process to be given authority. In this regard, John B. Noone says, "The terminus of such process is law- sovereign law. Though one may speak of the abiding sovereignty of the people as a *potentiality*, at any given time what is *actually* sovereign is the law, it is the end product of sovereignty, conceived as a process, and receives its authority from that process".<sup>14</sup> In another word, it can be said as a force to follow rules or laws which is morally obliged by the people. However, this force must be distinguished from the natural force in the state of nature. The force of body politic is legitimized.

That collective force works for collective utility, but not necessarily for each and every human being of a nation. Rousseau's primary concern is the body of nation. Thus, the interest of the nation follows the interest of everybody belonging to that nation. Durkheim is more particular on this point than Rousseau and he says,

"The collective interest is sometimes conceived as the interest peculiar to the body, which is thus regarded as a new type of personality having special needs unlike those felt by individuals. Even in this sense, to be sure, whatever is useful or necessary to society concerns individuals because they feel the effects of social conditions. But this concern is only indirect. The collective utility has a certain character of its own. It is defined not with respect to the individual, but with respect to society as an organic unit. That is not Rousseau's conception of it. In his view, anything that is useful to each. The common interest is the interest of the average individual. The general interest is that of all individuals in so far as they desire what is most appropriate, not to this or that particular person, but, in the view of the civil state and the prevailing conditions of society, to each citizen".<sup>15</sup>

Thus, Rousseau is much more interested in collective power which aims at the welfare of all. This can be assumed that Rousseau conceived sovereignty as a property of individual; however, it must be distinguished from the aggregation of individuals. Sovereignty itself does not stand with the aggregation of individuals but the association of them. Therefore, it is not the power of a sum of particular wills.

It can be said that the manifestation of the general will is nothing but

sovereignty. The supreme direction of the general will is to achieve the welfare of the state. Since individuals are the part of a state, they do realize the welfare of the state. As it is known, individuals have alienated their rights to contract, so its now functioning general will or sovereignty takes care of them. To quote Durkheim, “sovereignty is simply the collective force- as established by the basic compact- in the service of the general will”.<sup>16</sup> Further, he talks about the nature of sovereignty, as being discussed by Rousseau in his Contract Theory. It seems Rousseau has been keen to make sovereignty as absolute which is the ideal representation of his contract philosophy. Durkheim has characterized sovereignty in a systematic way, the very first thing about sovereignty as he says, “Sovereignty is inalienable”,<sup>17</sup> which means a political body can’t transfer legislative authority to any person or anybody who is less than a whole. Durkheim takes the presupposition that, “sovereignty might be alienated only if the general will could be exercised through the intermediary of one or more individual wills. But this is not possible, for these two kinds of will are too different in nature and move in divergent directions. One moves toward the general, hence toward equality, the other toward the particular, hence toward preferences”.<sup>18</sup> So general will by definition can’t act in another way that which would be affecting sovereignty, the reason is that general will is not merely the collection of all will, but it is the rational choice of everybody.

The second feature of sovereignty is that it is indivisible.<sup>19</sup> For the same reason that sovereignty is inalienable, it is indivisible. A particular group of people’s will may divide the sovereignty as far as general will is considered as a will of some individuals or a privileged group, but by principle general will can’t be associated with a privileged group. Therefore, sovereignty can’t be divisible. One part of the assembly can’t be charged with some matters of legislation and other parts with others. All the people must have a legislative say in all areas of legislative concern. Durkheim has viewed sovereignty with legislative power and executive power. This twofold power may seem to be divisible in its own character. So, Durkheim answers to this, “But this is like saying that man is made up of several men, one of whom has eyes but no arms, other arms but no eyes, and so on. If each of these powers is sovereign, they both have all the attributes of sovereignty. They are different manifestations of sovereignty; they can’t be different parts of it”.<sup>20</sup>

By keeping this stand on Rousseau, Durkheim, no doubt appreciates his individualistic approach towards a higher collective power that is sovereignty.

The third and final feature of sovereignty is that “there is no check on sovereignty”.<sup>21</sup> This is taken as obvious that there will be nothing wrong in sovereignty, in other term it is absolute. Durkheim claims checking on sovereignty



is inane, thus he goes on to say, “this is self-evident, since there is no force superior to the collective force that constitutes the sovereign power. Besides, any check would be pointless, for the general will is always right and tends to the public advantage”.<sup>22</sup> There has been an absolute authority on individuals. Durkheim is steady in this point; it seems he does not go out of Rousseau’s stand.

Durkheim’s discussion starting from the idea of state of nature to the idea of sovereignty carries a prolific outlook on Rousseau. His acceptance of Rousseau’s belief that the state of nature is satisfactory as long as conditions are simple and stable, is one of the rational pickings he could make. The idea of origination of society takes a sociological approach on Rousseau and it also tries to reconcile both the state of nature and civil society. Another shift is to body politic which is inevitable. Durkheim technically handled both the ideas of body politic and sovereignty by expressing the importance of both individualistic and collectivist approaches on Rousseau.

#### **John Charvet**

The main aim of this section is not to focus on each and every part of Rousseau’s political discussion but to have a quick outline of contract philosophy. Charvet has been very selective in his writings. He has tried to find out the individuals’ identities in political society in Rousseau’s work. Hence this problem has a two-way solution according to him, one is educational and moral relations to individuals which are a reflection of Rousseau’s other works except for social contract. The other one which transmits the political relations of individuals in civil society takes the present discussion further on.

Charvet has the same opinion as Rousseau about the there-social relationship of human beings which they both consider it as uncorrupted. Thus, a society without a proper political system is corrupted. It is corrupted because of the interdependency of human beings and that interdependency is basically economical. So, in this way, Charvet makes his theory more comprehensible. People fall into this trend because they concern others, in Charvet’s language it is consciousness. Therefore, he thinks the root of the social problem is that consciousness which is of course an artificial product of society. And he finds the solution in Rousseau’s social contract that is to develop a new kind of consciousness that can facilitate men in a new way.

The social contract begins with the belief that man was born free and everywhere he is in chains. The freedom that he talks about is natural which means man in the state of nature is free but his transformation from the state of nature to society takes away that natural freedom. And Charvet’s analysis of this statement is to focus Rousseau in developing towards a civil order. Thus, he says,

“Rousseau’s aim, however, is not to show how the chains can be abolished and natural freedom recovered in society, for political society requires constraints and natural freedom consists in the absence of all such constraints. His aim is rather to show how the necessary constraints of political society can be legitimate and thereby compatible with, if not natural freedom, then an essential human freedom nevertheless”.<sup>23</sup>

Those chains of society have to be legitimized for establishing a political order, which needs a covenant of individuals. Thus, the natural freedom and equality got into shape again in civil liberty. It has to be clear that this political system does not take place because of the state of nature but the unauthorized (not political) primitive social organization, what Durkheim calls it as group life. However, Charvet reflects on Rousseau’s stand on the idea of the state of nature where men are absolutely free, it does not mean that men are free and equal in every respect.

Charvet’s argument has been positioned with the term natural; since he claims the absence of social activity and social order cannot make any individual superior to others. Nobody can have any right to be authoritative to others. The reason, he explains is that a mere physical force can’t generate a right to the compliance on which authority depends.

A covenant legitimized political order based on equality and freedom is the new form comparing to the form of the state of nature. Thus, everything takes a new shape in civil society. Freedom and equality have to be the center of the political order. On the other hand, the earlier form of these two can’t be reestablished in this state.

Human freedom is acknowledged specifically with the political and social context. Men are free to choose being ruled. There is no external force that steersman; hence he is the ruler and also being ruled, at the same time he is considered to be an individual on his own and a part of the community. Giving importance to this freedom, Rousseau’s ideas are closer to many liberal thinkers.

The conversion from the state of nature to civil order formulates a drastic change in human nature. Earlier man was guided by his own instinct, however, being a member of civil society; he is guided by the rationalistic approach of the general will. Every individual is secure under the guarantee of the general will. This difference makes a human being more organized which again leads to collective aspiration. All these could happen because of the total alienation of individual natural rights.

The primary aim of Rousseau’s social contract refers to a belief that the state is the outcome of a covenant or agreement among men. However, in turn, the state is the protection of those people to which it owes its being. This twofold system, individual and community, is taken to be one whole, because each and all have to

alienate their own rights to the community. Everyone's interest ceases to be oneself and becomes the community. Charvet argues that, "it is for this reason that no rights can be retained by the individual independent of the community, for the individual would then retain a point of reference and interest which would be himself apart from the community".<sup>24</sup> So the community proceeds with the concurrence of each individual. The authoritarian dominance of community on individuals is rooted not in itself but in each individual. This community-directed self can emerge and dictate individual self; however, this dominance over individuals is mutual acceptance to all the members of the community.

So, the *general will* is something that is inside every individual and as well as in society as a whole, in other words, individual rules and also being ruled. These two are interchangeable. So, everybody has a dual role to play on one side, it is a citizen and on another side as a subject. There is a possibility of conflict between these two, however, it is natural that each individual may have different private interests but the end is one that is common to all. The common interest is greater, in the sense of value, than private interest. Therefore, Rousseau's idea of the general will is not the same as the will of all; he claims the will of all lies in private interest. However, Charvet raises a skeptical voice towards this difference. According to him, Rousseau lacks clarity on this difference that in what sense it is the will of all. Charvet further has tried to resolve this problem by posing his own stand that, "The common interest, Rousseau seems to be saying, is created by opposition to the private interest of each. For this to be true private interest would have to be defined as a selfish interest, such that by opposing this selfish interest in each a non-selfish common interest is achieved".<sup>25</sup> He further claims, they both go in opposite directions, the general will is said to move to equality and the private will to partiality. The will of all signifies the selfishness of each individual, that is everyone proposes rule for their private advantage. But it is a community to propose laws that can't have any private advantage. The sense of security is felt in common interest which takes care of all. This stance may be a point of reconciliation of group life, further development of state of nature, and civil society.

Thus, contract philosophy aims at common interest which brings a reform of the state of nature. The legitimacy of the contract depends on the general will which owes for the benefit of all. This artificial association is the subject to be obliged by all its individuals. Giving different names to its participants, Charvet considers it, in a passive sense as state and inactive sense, like sovereignty, and the members are collectively called as people. State or general will is considered to be the groundwork of the contract. Thus, its mechanism has equal importance. Therefore,

Charvet says, “The general will is to be expressed in laws promulgated by a general assembly composed of all adult men of the community, at which decisions are to be made by some form of majority vote”.<sup>26</sup> This form of government expresses a direct sense of democracy which has been practiced in the Swiss political system. Thus, Rousseau is being called as a champion of direct democracy by many scholars.

It is said that the natural form of equality and freedom will be relocated in civil society; here the idea of equality has been introduced to the general will. Charvet finds Rousseau setting up equality in the name of rights that is everyone will have equal rights. And it is general will which is general in all perspectives, thus Rousseau claims, it should spring from all and apply to all. This statement is critically viewed by Charvet, as he says,

“It is specifically stated that generality is required, and he goes on to elucidate the requirement that the object of the general will be not particular and circumscribed as the opposite of generality. Universality is specified in so far as it is stated that the general will must apply to all. These three considerations are not the same, yet it seems that Rousseau is supposing that they are. Equality (equal rights) is not the same as universality (applying to all), since a rule of law can apply to all and yet grant unequal rights”.<sup>27</sup>

A universal phenomenon can be general but the thing which is general may not be applicable to all. Charvet’s reasoning lies in these two terms that are ‘from all’ and ‘applying to all, when general will is from all, it holds the general but applying to all confronts universality. However, the problem according to Charvet is that, Rousseau confuses all these and takes it in one sense. The possible conflict may arise in regard to Rousseau’s confusion that equal rights condition, generality, and laws that are applicable to all go with universality. In simple terms, Charvet means by equality as equal rights and he goes on to say, whatever the common interest is, it should be able to provide equal rights for all, which means nobody can obtain a favored advantage for himself over others. Generality is that the object of general will cannot be particular and universality is that which can be applicable to all. Rousseau’s intention lies in congregating all of them and setting them to be the form of contract.

However, it is theoretically impossible to set all of them in one form which is found by Charvet on Rousseau. To make out this assumption, Charvet clearly shows the picture of social contract in a descriptive manner. According to him, the equal right condition is somehow missing from that form of social contract. It has been assumed that equal right conditions ensure a common interest. Common interest which is otherwise known as general will can’t relate to any particular object. To move this argument further Charvet says, “Apart is less than the whole so that what

does not satisfy the condition of generality does not apply to all. By implication what does satisfy the condition of generality applies to all (universality)".<sup>28</sup> On this point, Charvet does not find any incoherence in Rousseau. However, Rousseau's discussion of law makes him to contradict equal rights conditions. In this regard to quote Charvet again, "if the law can establish privileges and create several classes of citizens specifying the qualities giving membership of various classes, it is clear that inequalities of a substantial nature can be created between citizens by authentic acts of the general will".<sup>29</sup> Thus law can be acted upon different classes in a different perspective, which shows there can't be an equal right condition among all the people. And if that law (which carries unequal rights) is applicable to all then the condition of universality is satisfied, and in a way, generality is also satisfied. Even if both of them are satisfied, the unequal rights are still being unjust. So Charvet says, "if the requirements of generality and universality are the only conditions for an enactment of the general assembly to count as an authentic act of general will, then the general will can obviously be grossly unjust".<sup>30</sup> To avoid this problem, Rousseau thinks that there should not be any political group or discussions except legislative assembly. There should not be any political communication between any other groups except the subject and citizen. These groups are a danger to the general will, because as Rousseau claims, it may generate a group interest that is against general will. Thus, its existence and privileges are nevertheless acceptable in terms of the security it offers for the equal rights of individuals. As noted earlier, Rousseau believes in direct relation between the assembly and citizens. However, the problem of unequal rights is hardly solved at this point. This problem remains unsolved; Rousseau escapes this by giving importance to both generality and universality conditions. Thus, Charvet says, "But it is obvious that Rousseau is supposing that generality and universality ensure the presence of a common interest, and that is sufficient to bring about the justice of the laws and the self-obedience of the subjects".<sup>31</sup>

The above conflict of equal rights condition makes somewhat relaxed when Charvet takes the stand of Rousseau that an equal rights system is not the same as equality. The point here is to establish equality in other respect.

Charvet, in conclusion, analyses the common interest approach of the general will, which can primarily provide the solution lifted up in an unauthorized political system. He thinks this common interest results in two coherent positions; the first one is the interest of each individual abstracted from its connections with his actual particular ends and universalized. And the second one is the reverse of the earlier one, abstracted common interest connects with particular ends. Charvet takes both

of them as identical in regard to the interest of each individual. Therefore, he says, “It has to be true of this common interest that the individual in pursuing his interest is necessarily pursuing the interest of all others, and in pursuing theirs is necessarily pursuing his own”.<sup>32</sup>The relation of both is an identical particular which means when common interest is abstracted; it is considered as a single entity.

Except for the equal right position in general will, which is unearthed by Charvet, Rousseau’s explanation of contract philosophy is no doubt splendid. Charvet has been able to find out the radical balance of dependency in an unauthorized political system called group life and the independence of individuals in contract which is somewhere called as total collectivism. Finally, he thinks the absurdity and incoherence lie precisely in the elaboration on the ground of rejecting the rights of individuals which again is based on particularity. However, the synthesis of Charvet’s writing on Rousseau must be appreciated.

At the outset, Rousseau’s contract philosophy as interpreted by Durkheim and Charvet is an attempt to reconcile the state of nature and the civil liberty. They both agree with the point that the natural liberty of human beings has to be deprived in order to establish a mutual contract. The transformation of natural freedom to the freedom guaranteed by civil society is the main basis of reconciliation between state of nature and civil society. Rousseau’s rhetoric statement, ‘man is born free and everywhere he is in chain’, is the center of discussion by his successors. The ‘chain’ in society as renamed by Durkheim is the ‘dependency’ of human beings, is the main social problem. However, if the dependency can be legitimized in the form of a contract then there is discontinuity of that chain of dependency. Thus, the hypothetical contract brings out the solution for the earlier social problems.

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#### Footnotes

1. Emile Durkheim, *Montesquieu and Rousseau: Forerunners of sociology*, trans. Ralph Manheim,(The University of Michigan Press, USA, 1960), p.78
2. Ibid, p.79
3. Ibid, p.79
4. Ibid, p.81
5. Ibid, p.86-7
6. That chain may have different meanings in Rousseau's point of view; however, this dependency is one of them.
7. Ibid, p.94

8. Ibid, p.96
9. Ibid, pp.97-8
10. Ibid, p.98
11. Ibid, p.98-9
12. Ibid, p.101
13. Ibid, p.103
14. John B. Noone, "The Social Contract and the idea Sovereignty in Rousseau", *The Journal of Politics*, Vol.32, No.3.1970, p.702
15. Emile Durkheim, *Montesquieu and Rousseau: Forerunners of sociology*, trans. Ralph Manheim, (The University of Michigan Press, USA, 1960),pp. 105-6
16. Ibid, p.110
17. Ibid, p.110
18. Ibid, p.110
19. Ibid, p.111
20. Ibid, p.111
21. Ibid, p.112
22. Ibid, p.112
23. John Charvet, *The Social Problem in the Philosophy of Rousseau*, (Cambridge University Press, London, 1974), p.120
24. Ibid, p.124
25. Ibid, pp.128
26. Ibid, p.126
27. Ibid,p.130
28. Ibid, p.132
29. Ibid, p.133
30. Ibid, p.133
31. Ibid, p.134
32. Ibid, p.143