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The concept of the General Will in the writings of Rousseau, Sièyes, and Robespierre

By Dr. Stephen Carruthers[1]

1. Introduction

The concept of the General Will - as expressed by the French term *volonté générale* - was developed in the seventeenth century by writers such as Arnauld, Pascal, Malebranche, Fenélon, Bayle, and Leibniz in a theological context to mean the "general will of God (to 'save all men' after the Fall)" (Riley, 1995:2). The General Will in this context was by its nature perfect and unalterable.

Rousseau (1712-1778), in *The Social Contract* published in 1762, transferred the concept to the field of political theory and made it the lynchpin of his system of how political society ought to be governed. The General Will became a normative concept which Rousseau used as a means of reconciling individual freedom and collective responsibility.

Sieyès (1748-1836), in his pamphlet *Qu'est-ce que le Tiers état?*, published in January 1789, adopted Rousseau's use of the term - although he also employed the terms *volonté commune* or *volonté nationale*- but fundamentally altered its signification by allowing for the General Will to be represented.

Robespierre (1758-1794) committed himself to Rousseau's conception of the General Will but the exigencies of the exercise of power and his adoption of terror as an essential aspect of revolutionary virtue finally led him away from Rousseau's egalitarian conception and towards an elitist view of the General Will.

In this paper, I outline the views on the General Will of Rousseau, as set out in *The Social Contract,* and compare them to the views developed by Sieyès in *Qu'est-ce*

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que le Tiers état? and by Robespierre, most notably in his speeches delivered during the 'Reign of Terror' from the establishment of the Committee of Public Safety on 6 April 1793 to his death on 28 July 1794.

2. Rousseau and the General Will

In the first Book of *The Social Contract,* Rousseau recapitulates the stages of development of mankind culminating in the conclusion of the social contract: 'Each one of us puts into the community his person and all his powers under the supreme direction of the general will; and as a body, we incorporate every member as an indivisible part of the whole' (1968:61). Rousseau followed Hobbes and Locke in considering the social contract as the sole means by which the security of each individual's life and property could be guaranteed once conditions in the state of nature threatened human survival. But whereas for Hobbes entering the social contract resulted in an absolute loss of sovereignty on the part of the individual as against the sovereign (1968:228-239), and for Locke the transfer of sovereignty was limited (1993:326-327), Rousseau used the concept of the General Will to resolve the paradox that, while the social contract constituted a 'total alienation by each associate of himself and all his rights to the whole community'(1968:60), each individual nevertheless 'recovers the equivalent of everything he loses, and in the bargain he acquires more power to preserve what he has' (1968:61).

In order to elucidate how Rousseau used the General Will to fulfill the function of reconciling sovereignty and liberty, it is necessary to see how Rousseau related the General Will to these two key concepts in his political theory. The sovereign, created by the social contract, is 'formed entirely of the individuals who compose it' and 'by the mere fact that it is, is always all that it ought to be' (1968:63). Any conflict of interest between the interests of the sovereign and its members is by definition excluded since sovereignty is 'nothing other than the exercise of the general will' (1968:69). By defining the sovereign and sovereignty in the absolutist but egalitarian terms of the General Will, Rousseau could conclude that 'the sovereign has no need to give guarantees to the subjects' (1968:63). He thus avoided Montesquieu's dilemma that 'if power is not to be abused, things must be so disposed that power checks power'(Hampson 1983:17) which led him, unlike Rousseau, to idealise the British

constitution for its assumed balance of power between the legislative, executive and judiciary. However, there still remained the question of how Rousseau could reconcile such an absolute conception of sovereignty with individual liberty.

Rousseau sought to achieve this reconciliation through his concept of law. Rousseau considered law as an act of sovereignty and as such necessarily and exclusively an exercise of the General Will so that a law results when 'the people as a whole makes rules for the people as a whole' (1968:81). Rousseau wrote in 1755 in *A Discourse on Political Economy*: 'It is to law alone that men owe justice and liberty. It is this salutary organ of the will of all which establishes, in civil right, the natural equality between men. It is this celestial voice which dictates to each citizen the precepts of public reason, and teaches him to act according to the rules of his own judgment, and not to behave inconsistently' (1993:136). Since each individual in civil society participates in the creation of the General Will, the linkage of the General Will through the concept of sovereignty to the creation of law in the sense specific to Rousseau enabled him to conclude that 'obedience to a law one prescribes to oneself is freedom' (1968:64) and justify his (in)famous claim that 'whosoever refuses to obey the general Will shall be constrained to do so by the whole body, which means nothing other than that he shall be forced to be free' (1968:64).

Rousseau's development of his particular conception of the General Will enabled him to articulate a utopian vision of a democratic political society which united popular sovereignty with individual responsibility and liberty and which was derived 'as much from an idealised model of Geneva, as from Spartan and Roman sources' (Wokler 1995:195). However, this theory was to bequeath Sieyès and Robespierre, employing Rousseau's political vocabulary but operating in the far from ideal conditions of revolutionary France, two major problems: firstly, how and by whom should the General Will be determined and secondly, what would be the relation between sovereignty as the exercise of the General Will and the institutions of government.

Rousseau's theoretical answers to these two problems offered little practical guidance in such conditions: the General Will was to be exercised through laws adopted by the deliberations of all citizens acting under the guidance of a lawgiver. But

locating a lawgiver of the quality required by Rousseau would be an exacting task: 'the Lawgiver is, in every respect, an extraordinary man in the state. Extraordinary not only because of his genius, but equally because of his office, which is neither that of the government nor of the sovereign' (1968:85). Of even greater practical difficulty for a state such as France in 1789 of 277,200 square miles and a population of 28 million inhabitants (Doyle 1989:2), was Rousseau's requirement for an assembly of all citizens to make valid laws: 'sovereignty cannot be represented, for the same reason it cannot be alienated; its essence is the general will, and will cannot be represented ... Any law which the people has not ratified in person is void; it is not law at all' (1968: 141). On the second issue, Rousseau insisted on a clear separation of the institutions of government, which could only represent particular interests, from the sovereign. The sovereign alone could legitimately establish the institutions of government by an act of the General Will - a law - and in consequence Rousseau deduced 'that the holders of the executive power are not the people's masters but its officers; and that the people can appoint them and dismiss them as it pleases' (1968: 146).

While Rousseau as a political theorist from a small city state could allow conceptual coherence and republican idealism to guide his employment of the General Will, Sieyès and Robespierre were forced by political circumstances to adapt their usage to the realities of revolutionary France. In the case of Sieyès this meant allowing the representation of the General Will.

3. Sieyès and the Representation of the General Will

Sieyès was forty-one at the beginning of the French Revolution in 1789 and had behind him an embittered career in the Old Regime church where his slow progress had been humiliatingly dependent on noble patronage due to his humble origins as the son of a minor Royal official (Sewell 1994:9-15). However, during this period he had studied extensively the writings of the *philosophes* and the economic writings of the *physiocrats* such as Quesnay (1694-1774), Le Mercier (1720-1794), and Turgot (1727-1781) (Dart 1999:20). When in 1788 the summoning of the *états généraux* was proposed, Sieyès was therefore well prepared to seize the opportunity to achieve his political ambitions. In the course of two years he achieved public recognition through the publication of three pamphlets: *Essai sur les privileges* in November 1788, *Qu'est-*

ce que le Tiers état? in January 1789, and *Vues sur les moyens d'exécution dont les représentants de la France pourront disposer en 1789* (the final version of which was published in May 1789) (Sonenscher 2003:xxii). This public profile secured Sieyès election to the *états généraux*, which first met on 5 May 1789, as a Parisian member of the Third Estate.

In *Qu'est-ce que le Tiers état?*, Sieyès set out to establish that the Third Estate alone constituted the French nation - which on his analysis depended for its subsistence and prosperity on four classes of labour: agriculture, industry, commerce, and services (1989:28). He argued, in respect of the other two Estates, that the Aristocracy should be excluded on the basis of its privileged position, and that the Clergy was a public service rather than an order (1989:30-31). However, in order to justify his conclusion that the Third Estate should constitute itself as the sole representative of the nation, Sieyès needed a theory of sovereignty which was absent from the writings of the *physiocrats* based upon the 'politics of interest' (Dart, 1999:21). 'Hence Sieyès' decision to make use of the *Contrat Social* in his *Qu'est ce-que le Tiers état?* was almost certainly motivated by the realisation that Rousseau's theory of popular sovereignty provided one of the only means of justifying the proposed rebellion of the Third Estate against the Estates General' (Dart 1999:26).

In Chapter V of *Qu'est ce-que le Tiers état?* (1989:64-76), Sieyès followed Rousseau, albeit implicitly, in identifying the first two stages in the development of political society as, first, when isolated individuals by their desire to unite constitute a nation but remain composed of individual wills and, second, when the individuals unite to form the General Will by the social contract. But Sieyès then broke fundamentally with Rousseau by identifying a third stage, when the citizen body becomes too numerous and the national territory too large to exercise effectively the General Will directly, and at this stage the exercise of that part of the General Will which is necessary to secure the public good is entrusted to representative government (1989:66). Since this was self-evidently the stage the French nation had reached, and by legitimising representation of the General Will, Sieyès thus concluded, in Chapter VI of *Qu'est ce-que Ie Tiers état?*, the Third Estate was entitled to constitute itself as the National Assembly as representing the whole nation, '*à l'exception d'environ deux*

cent mille nobles ou prètres' (1989:81).

However, Sieyès, in order to establish this legitimacy of action for the Third Estate, followed Rousseau in emphasizing the fundamental priority of the General Will: '*Le gouvernement n'exerce un pouvoir réel qu'autant qu'il est constitutionnel; il n'est légal qu'autant q''il est fidèle aux lois lui ont été imposées. La volonté nationale, au contraire, n'a besoin que de sa réalite pour etre toujours légale, elle est l'origine de tout légalité'* (1989:68).[2] However, as Dart has emphasised, this 'blending' of Rousseau's theory of sovereignty with a theory of representative government, while initially successful in achieving Sieyès' objectives with the creation of the National Assembly by the Third Estate in June 1789, was 'quite radically unstable' (1999:27). The attempt by Sieyès to contain popular sovereignty within the confines of a system of representative government which would promote bourgeois interests increasingly fell apart in the years following 1791 as the Revolution was radicalised under the impetus of 'acute financial crisis, foreign invasion and civil war' (Dart 1999:28). In these circumstances, Robespierre's ideological commitment to Rousseau's unadulterated concept of the General Will proved more compelling to the radical Jacobins and the Parisian sections.

4. Robespierre, the General Will and Virtue

'Divine man, you taught me to know myself; when I was still young you made me appreciate the dignity of my nature and think about the mighty principles of the social order.. . .I remain constantly faithful to the inspiration I have found in your writings' (Hampson 1983:144-145). In this dedication to Rousseau, probably written in 1789 as he was about to take up his seat as a representative in the Third Estate for his native town of Arras in the é*tats généraux,* Robespierre marked his singular devotion to the legacy of Rousseau. However, the changing political circumstances which confronted Robespierre during his meteoric career led him to a radically different interpretation of the General Will from that of Rousseau by the time of his death in July 1794.

[2] Translation: The government only exercises genuine power to the extent it is constitutional: it is only lawful to the extent it is faithful to the laws imposed on it. The national will on the contrary only needs to exist to be always lawful; it is the origin of all legality.

Throughout his career, Robespierre's fundamental political principles were based on a combination of Rousseau's theory of sovereignty and Montesquieu's attribution of virtue as the basis of a republic as he made clear in his speech on representative government to the Convention on 10th May 1793: '*C'est dans la vertu et dans la souveraineté du peuple qu'il faut chercher un preservatif contre les vices et le despotisme du gouvernement*'[3] (Cobban 1968:138). Robespierre accepted, as a member of first the National Assembly until September 1791 and then the Convention from July 1793 until his death, the inevitability of Sieyès' view that the General Will could be represented or, as Robespierre preferred, delegated (Cobban 1968:148).

Whereas Sieyès had seen representative government as a natural and positive extension of the division of labour (Sewell 1994:91-94), Robespierre argued that to prevent legislative sovereignty turning to despotism substantial safeguards were required and he argued for the non-renewability of parliamentary mandates, frequent elections, liberty of the press, and publication and unrestricted public access to parliamentary proceedings (Cobban 1968: 148). Robespierre tried to 'dispense with what liberal thinkers such as Sieyès and Turgot had considered to be the enabling reciprocity of the public and the private sphere by seeking to render everything subject to public scrutiny' (Dart 1999:28-29).

However, from the time Robespierre joined the Committee of Public Safety in July 1793, his position radically changed to one of hostility to a free press under the pressure of the external wars, the internal revolt in the *Vendée*, and the struggle against the Girondins. Ultimately in early 1794 this change led him to support the trial and execution of Hébert and Desmoulins, editors of the radical journals *Père Duchesne* and the *Vieux Cordelier* respectively: 'The defender of press freedom had become the champion of censorship, just as the political democrat had developed into the apologist for revolutionary dictatorship' (Gough 1999:123-124).

Robespierre's views on the relationship of the General Will and the sovereignty

[3] Translation: 'It is in the virtue and in the sovereignty of the people that one must seek a safeguard against the vices and despotism of government'.

of the people followed a similar path. As late as January 1793, Robespierre wrote to his electors in strictly Rousseauvian terms: '*Qu'est-ce que la souveraineté, messieurs? C'est le pouvoir qui appartient à la nation de régler sa destinée. La nation a sur elle-même, tous les droits que chaque homme a sur sa personne - et la volonté générale gouverne la société comme la volonté particulière gouverne chaque individu isolé.*'[4] (Cobban 1968:185). However, by the time of his last desperate speech to the Convention on 26th July 1794, sovereignty had migrated from the people to the revolutionary government constituted by the purged Convention, and even there it was under threat: '*Sans le gouvernment révolutionnaire, la République ne peut s'affermir, et les factions l'etoufferont dans son berceau; mais s'il tombe en des mains perfides, il devient lui-même l'instrument de la contre-révolution*'[5] (Buchez and Roux 1837:423). As Hampson caustically commented on this speech: 'The general will was still the only hope, even if he had come to realise that it was his own' (1983:242).

Robespierre had by 1794, despite the temporary solace of the Festival of the Supreme Being on 8th June, lost faith in discovering a morally appropriate expression of Republican virtue and the General Will in the populace and sought to impose it by governmental terror. In his speech to the Convention on 5th February 1794, Robespierre set out his position starkly: 'If the appeal of the popular government in peace is virtue, its appeal in revolution is simultaneously to *virtue and terror* ... Terror is nothing else but prompt, severe, inflexible justice. It is consequently an emanation of virtue' (Jordan 1999:29). His employment of both concepts, virtue and the General Will, had by then irreversibly shifted from the democratic basis elaborated by Montesquieu and Rousseau respectively to an elitist and potentially despotic conception.

[4] Translation: 'What, Sirs, is sovereignty? It is the power which belongs to the nation to determine its destiny. The nation has over itself every right which a man has over his person - and the general will governs society, as the individual will governs each isolated individual'.

[5] Translation: 'Without the revolutionary government, the Republic cannot grow strong and factions will strangle it in its cradle; but if it falls in the hands of traitors, it will itself become the instrument of counter-revolution'.

4. Conclusion

Rousseau recognised in *The Social Contract* that his conception of the General Will was utopian in the circumstances of eighteenth century Europe. Only Corsica, he concluded, was 'fit to receive laws' (1968:69). Nevertheless Sieyès, in the extraordinary circumstances of 1789 and to whom Rousseau's egalitarian and populist ideas were otherwise antithetical, appropriated the concept to justify seizure of power by the Third Estate from the nobility. However, he sought to circumscribe its revolutionary implications by channeling its exercise through representative government. Robespierre, while ideologically committed to Rousseau's concept, was unable to square the circle of popular sovereignty and strong revolutionary government and ended his career in the *cul-de-sac* of revolutionary terror.

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