

Inequality as the structure of conflict in Rousseau

di Bogdana Koljević

1. Inequality and domination in civil society; 2. The state of nature in the sphere of appearance; 3. The body politic and ethics of popular sovereignty; 4. Contemporary adikia or a new social pact.

1. *Inequality and domination in civil society*

Rousseau's conceptualization of the history of *civil society* as, first and foremost, *the history of inequality* is exemplified in the well-known passage in *Discourse on the Origin of Inequality*: «The first person who, having enclosed a plot of land, took it into his head to say *this is mine* and found people simple enough to believe him, was the true founder of civil society»¹. This line of philosophical thinking – which will later commonly and rightly be associated with Marx – emphasizes that the origin of inequality has been the idea of private property and, moreover, that the subject of history of mankind which created *the world* of private property has been *civil society*. This is how the true source and theater of all history consequently produced the crux of the inequality paradigm i.e. *the master-slave relation* which can be traced as *the basis of conflict*. In this sense, Rousseau writes the following: «What crimes, wars, murders, what miseries and horrors would the human race have been spared has someone cried out: Do not listen to this imposter. You are lost if you forget that the fruits of the earth belong to all and the earth to no one!»²

The development of human faculties and historical “progress”, therefore, brought with itself a structural conflict i.e. «as soon as it was found to be *useful* for one to have provisions for two, equality disappeared, property appeared» and «the law of property and inequality transformed *a skillful usurpation* into an irrevocable *right*, and for the *profit* of the few ambitious men henceforth subjugated the whole of mankind to *labor, servitude and misery*»³.

Here it is worthwhile to recall that in *The Confessions* Rousseau refers to *Discourse on the Origin and Foundation of Inequality* as to the work of the greatest importance and that his reflections on civil society as the world in which competition, rivalry and greediness are presented in such a way that they unfold the meaning of Hobbes's *state of war*. Moreover, Rousseau reveals that conflict is primarily produced as *conflict of interests* or, more precisely, that the category of *interest* is located as the underlying cause of different types of struggles. The conceptual relation between *interest*, *conflict* and *domination* discloses the world of *anti-politics proper*, i.e., the world in which human relations even in peace are based on fear and hate as indicators of perpetual war.

In *Of the Social Contract* Rousseau articulates that *the state of war* is constituted solely in the relation between *things* and not between humans. This way, *property relations* are recognized as the first initiator of anti-politics, but they are, no less relevantly, followed by *objectification* of all relations because the

human being in that context is not a *subject* - as author of one's own destiny. Therefore, the emergence of private property is illustrated by Rousseau as the fateful stage in human evolution in which civil society authorized political inequality consisting in «different privileges enjoyed by some at the expense of others, such as being richer, more honored, more powerful»⁴. This has been the process of *habituation of being a slave*, i.e. of humans becoming weak, fearful and servile – the process in which *anti-politics as the internal structure of conflict* imposed itself as a natural and permanent order. The first stage of inequality, according to Rousseau, has been the establishment of the right of property, the second has been exemplified in the institution of magistracy, while the third and final stage has been the transformation of *legitimate power* into *arbitrary power*. The class division, as the gap between the *rich* and *poor* has been authorized in the first epoch, the differentiation between the *weak* and *strong* in the second one, and the *master-slave relation* – and its *normalization* – has been constituted with *spreading and dominance of arbitrary power*. The common signifier for all and multiple situations which produce conflict and are described here is that *the other* is turned into an *object* because what is structurally missed is *recognition of otherness* both in its ethical aspect (of human being *qua* human being) and in aspect of reason. Furthermore, the decisive common thread for Rousseau - relating to all three described stages of inequality - is that «*the multitude is oppressed*» and that “*this oppression continually increases*»⁵.

In the final stage of inequality everything returns to the so-called “law of the strongest” and human beings become equal again because they are nothing; *equality rises in nothingness*, as the moment in which being equals nothing. This is where Rousseau argues that all which has previously been ascribed to *the savage man* in reality belongs to *the civil man* and that philosophical discourses transferred to the state of nature key characteristics of civil society. In this sense, the concept of conflict immanently belongs to society that produces inequality and domination, i.e., to inter-subjective relations without subjects. Moreover, these reflections disclose the interrelatedness between the provisional and arbitrary character of power, as well as the fact that the desire for the profit of the few causes the oppression which perpetually increases. The split between the ruling class which exercises domination and the multitude is, therefore, the *par excellence* image of anti-politics as conflict of interest. The decisive point for Rousseau here lies in understanding how *political inequality* has been presented as *natural inequality*, and how the internal logic of civil society – *in its own production of inequality* – relevantly played on the difference between *being and appearance*.

2. *The state of nature in the sphere of appearance*

The difference which Hannah Arendt has explained as the opposition between the Socratic formula “Be what you are!” and “You are as you *appear* to be!”, i.e., the contrast which in Marx's analysis is presented as the relation between *essence* and *appearance* (as a part of his critique of Hegel's statement that essence must appear)⁶, is articulated by Rousseau as *the split within civil society*. Thus Rousseau perceives one of the crucial phenomena of the modern world and its relation with production of anti-political inequality and instrumentalization of natural inequality. Moreover, this insight in Rousseau's

works comes forth as one of the first acts of self-critique of modernity, as the diagnosis of its own critical condition. Consequently, it is precisely such conceptualization that enables the reference to *the other potential of modernity*: the case for being of politics which Rousseau makes.

But first let us turn once more to anti-politics of state of nature as realized in the sphere of appearance. *Appearance* becomes indisputably relevant because *deceit* has been recognized as necessary for the development of anti-politics.

It was necessary for man, for his advantage, to show himself to be something other than what he in fact was. *Being* something and *appearing to be* something became two completely different things, and *from this distinction there arose grand ostentation, deceptive cunning, and all the vices that follow in their wake.*⁷

This is how anti-politics as politics of inequality has been realized in the split between being and appearance, featuring individuals of civil society as living *outside themselves*, in produced externalities through which dependence on the form of “as if” is sustained. In this sense, Rousseau also argues that under bad governments - of state of nature and permanent conflict - equality is always only *apparent* and *illusory*. In civil society, therefore, everything, including honor, friendship and virtue, becomes “*factitious*” and “*play-acting*” – it is the stage on which, in Rousseau’s terms, reason without wisdom and pleasure without happiness are realized.⁸ These reflections present a response to Hobbes’s opening of *The Leviathan* i.e., to the attitude which constitutes *the philosophy of appearance*.⁹ Because Hobbes’s concept of *the person* (derived from Latin *persona*) turns out to be *a mask*, «a disguise or external appearance»¹⁰ the relevance of *the metaphor of the theatre* is demonstrated in the statement that «plays are no less necessary in the state than in theatre»¹¹. The production of appearances is equal to the construction of *the artificial person*, i.e. to *politics as techniques based on appearance*. The replacement of *phronesis* by *techné* and *poiesis*, the substitution of *causa finalis* with *causa effectus*, the reduction of *ratio* to *calculus*, has been presented by Hobbes as politics of power and conflict. The sovereign as the technician, in this sense, exemplifies that the creation of man into citizen does not constitute itself as a *free act* (although it is necessary to *appear* as such), and that *magnum artificium* is a project of determination. These reflections are in agreement with the idea that it is necessary to sustain – even “in normal times” – the potential presence of violence. Both in Machiavelli and Hobbes violence as *present absence* permanently marks political life and is therefore positioned as necessary because the human nature is conceived as structurally egoistic and evil. *Bellum omnium contra omnes* figures as an eternal potentiality, as represented possibility deduced from fear of violent death. In other words, the people are here displaced into a permanent *status naturalis*, reduced to moving bodies, and identified with their fear of death.

Disclosing this “reasonability” of civil society Rousseau brings into question the whole paradigm in philosophical and political thinking of *status civilis contra status naturalis*, i.e. of the concepts of state of nature and civil society. Perception of *force* as the initial factor of slavery - as well as reflections on

struggle and competition of *private interests as the structure of conflict* – enable Rousseau to demonstrate that the *homo homini lupus est* attitude is realized in multiple forms of society. This refers to the process of *human alienation* in which self-respect transforms itself into particular interest, i.e. *amour de soi* into *amour propre*. For the analysis of the structure of conflict, therefore, the decisive point here is the following: Rousseau emphasizes that the production of a situation of general competition, rivalry and human beings becoming *enemies* can be constituted only among those who understand themselves as *private individuals*.

This conclusion is one with far-reaching consequences because it unveils the conditions for realization of *enmity* and the so-called *friend-foe* paradigm in terms of philosophical economy, philosophical anthropology and – most notably – political philosophy and ontology as well. Inequality produced in civil society, as class division and as the establishment of the master-slave relation presents the context in which the bond between humans is represented as originally destructive. Moreover, the precondition for the triumph of philosophy of superiority and domination has been, as Rousseau underlines, *the privatization of public space*, i.e. the mutual “recognition” of individuals exclusively *qua* private individuals. In this situation the field of the public, the space of the common, and the reference to reason are replaced by permanent conflict and *habituation to conflict as a living form*. Both *oikos* and *polis* dissolve in such multi-dimensional conflict, and this is why Rousseau says that then there is *neither private good nor body politic*.

Here one should also recall that for Rousseau *the social pact is not necessary* and that, therefore, the realization of *polis* (and proper *oikos*) presents a *possibility*. This is Rousseau’s decisive polemic against Hobbes: *because the social pact is not necessary politics has nothing to do with force, conflict, violence or its overcoming*. Therefore, in *Of the Social Contract* and in *Discourse on the Origin and Foundations of Inequality* Rousseau articulates how politics cannot be founded on “the right of the strongest” and then that it cannot depend on conventions sanctioning the effects of violence, such as the submission of the slave to the master.¹² The consequences are that *the enemy*, for Rousseau, *is not constitutive for the political* and, moreover, that the state of nature can be structurally transcended instead of its repetition and mutations in civil society. In difference to Hobbes’s and Schmitt’s philosophical-anthropological paradigm, in Rousseau the humanitarian conception of man (although provided) is not necessary i.e., his philosophy is not dependent on acceptance of any particular anthropology at all. The exclusive presupposition here, as Luis Althusser notices, is one of *plurality* and *multiplicity* from which it becomes clear that politics is not a matter of *the one* but of *the many*, i.e., not of *singularity* but of *the people*.

3. *The body politic and ethics of popular sovereignty*

Luis Althusser writes that Rousseau’s response to *the state of complete human alienation* is an opposite form of *total alienation in the social pact*.¹³ Based on the insight that *people as people cannot sell themselves*¹⁴ the concept of politics, as a proper answer to anti-politics, presents itself as the non-liberal concept of freedom. Egalitarian liberty or, rather, liberty as justice emerges as the right of recognition of all

humans and the “total alienation” of individuality at the same time is the act of *the creation of community and public space*. In difference to Hobbes, Rousseau articulates that «the nature of the social pact is private and peculiar to itself, in that *the people only contracts with itself*»¹⁵. This way, a philosophical rethinking of direct democracy places itself as a potential for creating a different world than the one of permanent conflict. Or, more precisely, the act of immediate democracy here corresponds to the establishment of being of politics as equality and freedom. Also, as a response to social inequality, Rousseau argues that no citizen should ever be wealthy enough to buy another and no one poor enough to sell himself. This would be the basis of economic equality, while political equality is presented as the recognition of *the private will in the general will*. Furthermore, this becoming of the political, i.e., of the body politic, is simultaneously displayed as becoming of ethics of popular sovereignty in Rousseau’s conception of *virtuous citizens*.

In *A Discourse on Political Economy* Rousseau addresses the issue of economic justice as one of the most relevant tasks, while his analysis on the role of *education* brings together *politics* and *ethics*.¹⁶ In this respect, public education, therefore, presupposes life in the heart of equality and general will, i.e., becoming a constitutive part of the social body as a whole.¹⁷ Therefore, what Hegel names as Rousseau’s “wild idea of the people” is the comprehension of sovereignty as the state belonging to the people. Equality which structurally opposes the *bellum omnium contra omnes*, as the situation of conflict, is such that people - though unequal in strength and talent - become equal by right and, therefore, freedom of all is placed forward. Rousseau insists that «it is to law alone that men owe justice and freedom» and that «it is this voice that dictates the precepts of public reason to every citizen and teaches him not to be in contradiction with himself»¹⁸. For Rousseau this mean the following: if politics is possible because it belongs to the field of possibility (and not necessity), if it comes into existence in the event in which people constitute themselves as people, its becoming is exemplary situated in law and public reason i.e., in all forms in which virtuous people confirm themselves as free. These are the reasons which enable Alain Badiou to say that according to Rousseau equality *is politics*¹⁹ and that, perhaps even more relevantly, inequality is something significantly *anti-political*. However, Rousseau’s discourse on the *being of politics* is immanently interrelated with his reflections on civil society and its two different potentialities: the first one presented in Hobbes’s philosophy and the second one as the concept of *association of free individuals and democracy*.²⁰ The topic of egalitarian liberty is here linked to rethinking true democracy as a philosophical inquiry of the act by which *people is a people*. The social contract is the event of politics as free human creation, where the becoming of multiplicity from relation to the selfhood is articulated by Rousseau as the split of the particular will to participation (in sovereignty) and submission (to the laws). Moreover, as Alain Badiou argues, precisely from these two moments the subject, i.e., *the subject of politics* – that is *the people* – is created.²¹ This split of the particular will generates the constitution of *the general will* which for its norm has *equality*. This is how the general will is the relation of people to themselves. As the becoming of all to all, as the movement from people to people, it is called *popular sovereignty*. In Rousseau’s terms, «if the

people promises simply to obey, it dissolves itself by this very act, it loses its quality of *being a people*; as soon as there is a *master*, there is *no more sovereign*, and *the body politic is destroyed forthwith*²².

The politics and ethics of popular sovereignty in Rousseau, therefore, present a response to Hobbes's but equally to Machiavelli's concept of the autonomy of politics. In the theory of *virtuous citizens* an echo of Aristotle's *Nicomachean Ethics*, i.e., of the political in its relation with the ethical, is articulated as *the becoming of virtue*.²³ The meaning of *the public good* – the concept that from Machiavelli to Hobbes has been transformed to *an empty space* which can consist in changeable categories such as interest or progress – in Rousseau is constituted as *the body politic per se*.

4. Contemporary *adikia* or a new social pact

The meaning of *adikia*, as Costas Douzinas notes, refers to injustice, dislocation or disjuncture²⁴ and therefore concerns disorder and conflict in human history. Rousseau's articulation of anti-politics of power and violence and the proposal of the social pact as a response to it presents itself in one of philosophical forms in which *techné* confronts *dike*. The specificity of the social contract, however, rests in the simultaneous creation of subjectivity, sovereignty and the body politic, i.e., in the interrelatedness between politics, sociality and individuality which disables the state of war and perpetual conflict. Indisputably, contemporary *adikia* differs from previous ones, in the sense in which Marx's identification of class struggle has been the response to the disorder of capitalism in its current stage. On the other hand, Rousseau's discourse reveals that inequality is the structural basis of conflict, as a permanent moment which can take on multiple forms. The right to resistance, therefore, is derived from injustice and, consequently, in the situation in which there is no more social contract, *resistance* emerges as *the very act of its constitution*. Or, more precisely, if the social pact is broken – as it is the case with many contemporary states and also on the international level and its key institutions²⁵ – then *adikia*, in terms of political and ethical theory, causes the attempts to re-establish the community. This re-founding is open to multiple possibilities for its realization, i.e., its precondition is the act by which a people becomes a people and ultimate carrier of sovereignty and the body politic. Likewise, it presupposes the reference to reason and to the recognition of otherness as the becoming of subjectivity. In contrast, if the state of nature would continue to exist in time – the human relations would present their destructive potential in the highest degree. It is the question what would a world in which the symbolic figure of Behemoth is realized look like. Or, more precisely, if people were left to choose between Behemoth and Leviathan, i.e., between un-reasonability and instrumental reason, would politics be possible at all? In response to this question lies the truth of the meaning of politics as techniques and politics as power of conflicts.

Note

¹ Jean-Jacques Rousseau, *Discourse on the Origin and Foundations of Inequality among Men*, p.60.

² Ivi, p.60.

³ Ivi, p.37.

⁴ Ivi, p.38.

⁵ Ivi, p.78.

⁶ Marx argues that what can occur is a “hiding” of essence, i.e., a situation in which the relation between essence and appearance creates the illusion of their independence, as in bourgeoisie society. This is the historical concealing of the actual connection between essence and appearance.

⁷ Jean-Jacques Rousseau, *Discourse on the Origin and Foundations of Inequality*, p. 67.

⁸ Doubtlessly, this description resembles Marx’s description of the bourgeoisie, in its action of creating the world to its own image: «Where it has come to power the bourgeoisie has obliterated all relations that were feudal, patriarchal, idyllic. It has left no other bond between one man and another than naked self-interest. It has resolved personal worth into exchange value and in place of hard won freedoms it has established a single freedom – conscienceless free trade.» See Karl Marx, *The Communist Manifesto*, pp.3-4.

⁹ Emphasizing the difference between the thing and the appearance, Hobbes speaks of original fancy which, as derived from phantasia relevantly sustains the aspect of primary, originally illusion as the initial act towards reality. See Thomas Hobbes, *The Leviathan*, pp. 4-7.

¹⁰ Ivi, p.106.

¹¹ Thomas Hobbes, *On Man and Citizen*, p.83.

¹² Jean-Jacques Rousseau, *Of the Social Contract*, pp. 43-48. Also see Jean-Jacques Rousseau, *Discourse on the Origin and Foundations of Inequality*, p.74.

¹³ Luis Althusser, *Montesquieu, Rousseau, Marx*, pp. 126-128. Althusser also demonstrates the way in which Rousseau’s own inconsistencies actually testify about the non-reducibility of this work and that the most relevant matter is to theoretically articulate the philosophical system in which Rousseau proposed to think politics. See *ibid.* pp.113-114. In this sense, “total alienation” comes forth as a non-exchangeable and non-refundable total gift, i.e., the gift of equality. People becomes a people by constituting themselves in political subjectivity – by giving themselves in order to gain themselves – and only this way the being of politics and being of society are expressed.

¹⁴ See Jean-Jacques Rousseau, *Of the Social Contract*, p.45.

¹⁵ Jean Jacques Rousseau, *Emile*, p.425.

¹⁶ «It is not enough to tell the citizens, be good, they have to be taught to be so. Every man is virtuous when his particular will conforms in all things to the general will.» See *ibid.* p. 15.

¹⁷ This means that the greatly emphasized process of enlightenment and education of men to become citizens cannot be reduced to their becoming moral persons in Kantian sense, as in Cassirer’s interpretation. See Ernst Cassirer, *The Question of Jean-Jacques Rousseau*, Yale University Press, 1978.

¹⁸ Jean-Jacques Rousseau, *A Discourse on Political Economy*, p.10

¹⁹ Alain Badiou, *Being and Event*, p.347.

²⁰ «The problem is to find a form of association in which each, while uniting himself with all, may still obey himself alone, and remain free as before. This is the fundamental problem of which the Social Contract provides the solution.» Jean-Jacques Rousseau, *Of the Social Contract*, pp.49-50.

²¹ Alain Badiou, *Being and Event*, pp. 346 – 347.

²² Jean-Jacques Rousseau, *Of the Social Contract*, p.57.

²³ Virtue as ethical good in Aristotle is inseparable from its realization, from acting in a situation and therefore from the community in which it becomes. See Aristotle, *Nicomachean Ethics*, p.45. Here we can also recall the relation between *zoon politikon* and *zoon logon echon*.

²⁴ Costas Douzinas, *Philosophy and Resistance in The Crisis*, p.78.

²⁵ The paradigmatic example here are the United Nations, as the exclusive and most relevant international institution in which, according to its charter, the principle of equality is supposed to be preserved. This means, along the lines of Rousseau's philosophy, that states are treated as equal regardless of their force, size, strength etc. However, precisely this key principle has been brought into question and this has consequently caused world's new state of conflict.