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Reading Rousseau with Žižek. The Contract, the Lawmaker, and the Contradictions of the *Social Contract*

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Abstract: Jean-Jacques Rousseau's main work in political philosophy, the *Social Contract*, contains two beginnings; on the one hand, it commences, quite conventionally, with a social contract between individuals, on the other hand it also states that a lawmaker needs to precede the agreement of such a contract. This curious co-existence of two beginnings in the text has usually been ignored or played down by interpreters. This article, on the other hand, presents a reading of their interplay inspired by Žižek's theory of ideology. It demonstrates how one of the beginnings, if seen from this point of view, may be understood as the truth about the other, and how the figure of the lawmaker specifically reveals the text as torn apart by contradictory internal tendencies.

Keywords: Philosophy; Rousseau; Žižek; Ideology, Lawmaker, Social Contract.

Reading Rousseau with Žižek.

1. A Book with Two Beginnings

Rousseau's *Social Contract* is not a very long book, and at a first glance its line of argument is not particularly complicated. However, more than 260 years of continuous scholarly debate clearly indicates that the work is a lot more complex than it may at first seem. This article will explore one of the features of the text which complicates our understanding of it: the fact that it has two beginnings.

On the one hand, Rousseau's presentation of his idea of the good society begins with the social contract that gives its name to the book as a whole. On the other hand, Rousseau later in the text explains that this cannot be the real beginning of this society. The contract has to be preceded by a lawmaker who molds the people in order to enable it to agree a contract in the first place.

What are we to make of this curious duality? Most interpreters seem to believe that it is unimportant. Even though Rousseau initiates his investigation of the good state by describing the contract, he really believes that the lawmaker comes first, but this is of no consequence. Obviously, a lot has been written about both the contract and the lawmaker, but studies of the relationship between the two are few and far between. This article, on the other hand, will demonstrate how understanding the interplay between the two beginnings is key to understanding what goes on in the text as a whole.

To mention just one example, albeit an important one, of how interpreters have generally overlooked the question about the interplay of the book's two beginnings, Masters (1976) has an entire chapter on the lawmaker, but does not discuss the relationship between this figure on the one hand and the social contract on the other. More recently, some interpreters have chosen to downplay the importance of the lawmaker (Dent 2005, 140-142) or even disregard him completely (Cohen 2010, 153), but even those who do discuss his role (like Spector 2019) seem to believe that he is simply supposed to precede the act of agreeing the contract.

This assumption, however, is problematic. To mention just one problem, it is strange that Rousseau should place the lawmaker in book II, chapter 7 when the contract is situated in book I, chapter 6. One possible explanation of this fact is that while Rousseau may acknowledge that the lawmaker has to come before the agreement of the pact from a historical point of view, his

project is one of legitimacy rather than history, and it is the contract, not the lawmaker, which guarantees the legitimacy of the state, and which should therefore be presented first.

I believe that this solution, while simple and appealing, is wrong. To mention one obvious counterargument, not only is there no reason for Rousseau to postpone the presentation of the lawgiver to Book II, chapter 7, it even appears counterintuitive that he should first discuss society's laws (Book II, chapters 5 and 6) before revealing who is the author of these laws. More fundamentally, however, the aforementioned solution overlooks some more fundamental tensions between the ideas of the lawmaker and the social contract – tensions which ultimately make the two incompatible. These are the tensions that we will be focusing on in the following. And in this process, we will be guided by Slavoj Žižek's theory of ideology.¹ As will become evident, in this perspective, the book's two beginnings are far from innocent. They are, in fact indicative of a major, but hitherto undetected contradiction within the text's line of argument.² The article will demonstrate that more than one author is speaking to us through the pages of the *Social Contract*: Both an idealist and a historicist (perhaps even a materialist!)³ Rousseau is at play, and they do not get along very well.

2. Two Tales of One Beginning

Interpreters have typically paid more attention to Rousseau's tale of a social contract in book I. The reason why we are not presented with this narrative until chapter five is that Rousseau finds it necessary to first rule out the idea that force equals legitimacy, and that despotism could therefore ever be legitimate. On the contrary, in his contract theory, there is no place for force as a vehicle for historical change.

The first chapters, in other words, clear the way for his preliminary conclusion that in order to understand how societies are formed, one should always go back not to conflict and struggle but, on the contrary, to an original agreement (Rousseau 1964: 359). Having made that clear, Rousseau then proceeds to make explicit his particular idea about this contract. He "imagines" that "obstacles" encountered by the human beings living in a state of nature⁴ force them to come together to form a community which will protect each and every individual and at the same time protect and even elevate individual liberty (Rousseau 1964: 360). Even though Rousseau paradoxically characterizes the contract as a "total alienation" (ibid.), the individual therefore ends up gaining a lot more than he⁵ loses. This is how he describes the effect of the good society (Rousseau 1964: 364-365):

Ce que l'homme perd par le contract social, c'est sa liberté naturelle et un droit illimité à tout ce qui le tente et qu'il peut atteindre; ce qu'il gagne, c'est la liberté civile et la propriété de tout ce qu'il possède. Pour ne pas se tromper dans ses compensations, il faut bien distinguer la liberté naturelle qui n'a pour bornes que les forces de l'individu, de la liberté civile qui est limitée par la volonté générale, et la possession qui n'est que l'effet de la force ou le droit du premier occupant, de la propriété qui ne peut être fondée que sur un titre positif. On pourroit sur ce qui précède ajouter à l'acquis de l'état civil la liberté morale, qui seule rend l'homme vraiment maître de lui; car l'impulsion du seul appetit est esclavage, et l'obéissance à la loi qu'on s'est prescrite est liberté.

It is worthwhile to pause for a second to note just how remarkable this celebration of the blessings of life in society is, particularly when seen in the light of Rousseau's previous work on the origin of inequality (often referred to as the *Second Discourse*) from 1754 (Rousseau 1964: 109-223). Here, social life is also characterized as alienation, but in a very different sense. Whereas in the *Social Contract* alienation is the individual's pathway to autonomy, in the *Second Discourse*, social life is fundamentally characterized by toxic self-love, amour propre, which alienates people by making them morbidly dependent on other people's recognition.⁶ While this contrast is interesting, it is perhaps the least important one. It is explained by the fact that while Rousseau in the *Social Contract* depicts society as it should be, the *Second Discourse* depicts society as it actually is. Another contrast is less striking, but more important. One of Rousseau's purposes with the *Second Discourse* was to criticize natural law tradition in general and Hobbes's contract theory in particular. He makes the very modern point that what is completely missing from Hobbes's account is historicity (Rousseau 1964: 153): It is simply assumed by the English author that individuals living in a pre-social state of nature possess the same character traits as 17th century Londoners, and that is obviously implausible. What Hobbes does not take into account, in other words, is that history changes everything, including human nature.

Yet history is equally absent from the *Social Contract's* account of the way individuals come to form a society. All that Rousseau has to say about history in this context is summarized in just one word: obstacles. They are what leads individuals to form a society, but Rousseau has nothing else to say about them. This is in fact symptomatic of the text in general. Granted, history has a role to play in the book; for instance, Book IV chapter 4 discusses the Roman popular assemblies, and historical inspiration from the Roman republic is visible in various other places as well, such as the discussion of dictatorship in Book IV chapter 6. Furthermore, Rousseau specifies the historical and material (geographical and economic) preconditions for the

establishment of the good society: The timing has to be right (Rousseau 1964: 386), and the divide between rich and poor should not be too great (Rousseau 1964: 391-392). However, as mentioned, these specifications all have to do with the preconditions for the good society, not with the fundamental features of the good society itself. For Rousseau, the state that realizes popular sovereignty and individual autonomy at the same time is a timeless ideal.⁷

The reason for this approach is that, unlike in the *Second Discourse*, Rousseau's purpose in this context is not historical reconstruction,⁸ but the presentation and defense of the basic features of the legitimate state: Popular sovereignty and individual autonomy understood as civil and moral liberty as mentioned in the passage quoted above. In this text, his individuals are just as non-historical as those found in Hobbes's *Leviathan* (Hobbes 2017), albeit in quite a different manner. Hobbes's individuals are non-historical in the sense that historical character traits are turned into eternal features of human beings as such. Rousseau's individuals, on the other hand, are simply without any historical traits whatsoever. This is the point where I wish to introduce the distinction between idealism and historicism mentioned in the introduction: Rousseau the idealist focuses on the purity of the principles which define legitimacy, not on the messy historical process that might lead a people to adopt and institutionalize those principles, not to mention overdetermine their articulation.

At the same time, however, Rousseau the historicist is far from satisfied with this approach. Because in all his previous theoretical works – not only the *Second Discourse*, but also the *Discourse on the Sciences and Arts* as well as his discourse on political economy (also known as the *Third Discourse*) – he displays an acute understanding of the manner in which human beings are shaped by education, by institutions, by accidents, and by social interactions – in short, by history. In the text of the *Social Contract* itself, this aspect is present in discussions of civil religion (Book IV, chapter 8) as well as of the morality of the people (“les mœurs”).⁹ The reason why Rousseau the historicist cannot be satisfied with the idealist account is that it reduces the question about the good society to something completely theoretical, something that is cut off from historical development. Instead, he wants to inquire not just what the good society is, but also how it may come to be realized.

The reason why it makes sense to speak about an idealist and a historicist Rousseau respectively, therefore, is that the text contains two sets of problems which are parallel in the sense that they may each be solved independently of each other and define different lines of argument. On the one hand, as we have seen, it seeks to define legitimacy as such, abstracted from any concerns about how and if it may come to exist (as noted above, Rousseau merely mentions “obstacles”), and thus also abstracted from history. On the other hand, it poses the

question how individuals can become capable of not just agreeing a social contract, but also adopting, in common, a set of laws and institutions, if they have no experience with life in common (or, presuming that they live in primitive pre-state societies, with state organization). The two lines of argument may in fact be not only parallel, but at least to some extent opposed to each other, because if you endeavor to inquire how a good society could ever be realized, you may tend to regard a theory of this society ignoring this aspect as somewhat pointless.

For Rousseau the historicist, the problem, in other words, is precisely how the good society can ever come to begin. And his answer to this problem is the lawmaker (Rousseau 1964: 381-384). Even though Rousseau refers to historical examples such as Lycurgus (382), the lawmaker is such an enigmatic and unlikely figure that scholars have typically found him difficult to deal with. Ideally, Rousseau says, he should be a god, and he certainly possesses superhuman qualities (381). The lawmaker, in other words, is literally a *deus ex machina*, and as such he is difficult to reconcile with the logic found in the idealist account of how the good society is founded. Contemporary interpreters have attempted to make sense of him by seeing him as something else, as something different from the superhuman individual depicted by Rousseau, e.g. as society's institutions (Pezzillo 2000) or as the people itself (Jameson 2011).

However, the lawmaker also breaks with the text's idealist logic in another and more important manner. Whereas in Rousseau's first account, a good society is founded on a rational consensus between free individuals, the picture painted in the chapter on the lawmaker is quite different. As Rousseau bluntly admits, lies and manipulation are necessary elements in the lawmaker's efforts to mold the individuals into a people (Rousseau 1964: 383). Specifically he needs to make them believe that his laws are actually dictated to him by the gods. Why does Rousseau the historicist insist on this element of blatant manipulation in the formation of a people? Because his problem is a circle, good laws and good institutions presuppose a virtuous people which in turn presuppose good laws and good institutions. Lie and deception is a supplement of vice that is necessary to break out of the circle of virtue. Virtue, in other words, by necessity springs from vice. As he says himself (*ibid.*):

Ainsi donc le Législateur ne pouvant employer ni la force ni le raisonnement, c'est une nécessité qu'il recoure à une autorité d'un autre ordre, qui puisse entraîner sans violence et persuader sans convaincre.

How are we to understand the point made by Rousseau in this context? The paradox is obviously that while Rousseau the idealist defends ideals of popular sovereignty and individual autonomy, Rousseau the historicist claims that the only way to realize this ideal makes it unobtainable. Autonomy results from the lawmaker's actions, but these same actions at the same

time make autonomy impossible since it is incompatible with being manipulated and lied to. This, therefore, is where the conflict between the different perspectives in the text culminates. In the following, I will suggest an approach to this paradox inspired by Žižek's theory of ideology.

3. Reality and the Real in the *Social Contract*

One way to approach Žižek's Lacanian theory of ideology is to see it in its relation to Louis Althusser's understanding of ideology, in particular as it is presented in his classic article on ideological state apparatuses (Althusser 1976: 67-125). According to him, ideology fundamentally shapes individuals to such an extent that it becomes difficult to see how a break with ideology could ever be possible: How are we to see through ideological deception if this deception is who we are?¹⁰

In Žižek's perspective, what is missing from this account of ideology as a perfect, seamless, and impenetrable surface is the lacanian insight that ideology – what he also refers to as the symbolic order – is never perfect. Interpellation (the process of becoming an ideological subject) never succeeds completely, there always remains an untamed kernel. In other words, interpellation is a traumatic experience which leaves a scar (Žižek 2008: 41-43). Žižek refers to ideology as “reality”, the leftover on the other hand as “the Real” (Žižek 2008: xxv). The Real does not exist as such, but only manifests itself in the effects that it operates in reality (Žižek 2008: 183). In other words, it manifests itself as the contradictions in reality which make impossible reality's totalization. Or you could say that the Real only manifests itself as symptoms in reality. On the other hand, reality itself does not really exist either, it is an inherently incomplete symbolic construction (Žižek 1999: 21). In short, therefore, our ideological reality in all its tangible mundanity is really a fantasy which serves to repress the traumatic experience of our inclusion in the symbolic order.

Žižek's theory of ideology obviously contains many more important elements than those summarized above, and it is certainly worthwhile studying it for its own sake. Also, he is known not least for applying his criticism of ideology to social and cultural phenomena (e.g. racism, as we will see below). Yet in this context, we will be exploring a different approach by asking the following question: What if we use his theory of ideology as a strategy for reading texts? Or, more specifically: How can this theory help us better understand the internal dynamics of the *Social Contract*?

If we go back to the first of the passages quoted above, it contains an ambiguity mostly overlooked by interpreters. On the one hand, the individual gains civil and moral autonomy;

this is specified in great detail by Rousseau. On the other hand, it loses natural liberty. Gain, in other words, also implies a loss. Natural liberty is wild; unlike the civil liberty of people living in society, it is without other bounds than the physical force of the individual. This liberty is therefore lost by necessity at the point where the individual enters the good society. Even though Rousseau himself does not regard this as particularly important (after all, the individual gains far more than he loses, and Rousseau in this text focuses on the good society rather than on what comes before it), the fact remains that the narrative of all that human beings gain by entering the good society is also the narrative of an original loss. So far Rousseau the idealist explicitly, if imperceptibly, follows the logic of Žižek's theory of ideology. In fact he does even more than that. This is the passage which comes a few lines before the one quoted above (Rousseau 1964: 364):

C'est alors seulement que la voix du devoir succédant à l'impulsion physique et le droit à l'appetit, l'homme, qui jusques là n'avoit regardé que lui-même, se voit forcé d'agir sur d'autres principes, et de consulter sa raison avant d'écouter ses penchans.

The ambiguity of Rousseau's statements here reaches a climax, for while claiming that man gains much more than he loses by entering society, he also admits not only that this passage constitutes a loss, but also that man is "forced" ("se voit forcé") to make the transition from wild natural liberty to a life of reason and duty. This raises the obvious question why human beings need to be forced into something which is so clearly to their own advantage – and what the consequences of this use of force might be.

Furthermore, one may ask how exactly natural liberty disappears in the civil and moral liberty? According to Rousseau the idealist, nothing remains of natural liberty, it seems to be at the same time annulled and preserved in the higher form of civil and moral liberty – one may, in other words, conceptualize this dynamic in terms of dialectics, even if Rousseau does not do so himself. What warrants such a reading is that the transition from one form of liberty to the other(s) obviously poses no problems for him.

This reading, however, is flawed. For natural liberty cannot be preserved in the civil and moral liberty. It is incompatible with it and therefore needs to be repressed. In the chapter on the lawmaker, the very same transition is therefore described from a radically different point of view. Where Rousseau in the passages previously quoted vaguely talks about civilization as a loss and about humans being forced into it, this chapter specifies precisely how they are forced: Violence, albeit in the subtle form of manipulation and deception, is the real source of the good society. Or to rephrase that point using Žižek's terminology: The lawmaker makes clear how the symbolic order, the good society of virtuous and autonomous individuals depicted by Rousseau the

idealist, is built on the repression of a different and more original, but also untamed and savage liberty.¹¹ The symbolic order really is nothing but this repression. Natural liberty, in other words, is the Real of Rousseau's ordered society in the *Social Contract*.

We may rephrase this point by saying that what we referred to above as Rousseau's historicist approach here culminates in an element which is not merely historicist, but "materialist" in the sense defined above. Seen from this perspective it is unsurprising that the lawmaker functions as an internal opposition to the idealist logic of the good society. Or to put this in a different manner: There is nothing in the idealist account of the good society which is not negated by the figure of the lawmaker. As mentioned, for Rousseau the idealist it is a fundamental concern to rule out that "might makes right", i.e. that power in and by itself can constitute legitimacy. We may add to that the fact that it is equally important for him to make sure that in the good society people are not dependent on each other, but only on the state. The lawmaker explicitly denies both these logics, first as he exposes the foundation of legitimacy to be deception and manipulation, and second as every individual in the state becomes dependent on the lawmaker's wisdom and recommendations. In other words, the lawmaker at one and the same time creates and destroys the foundation of the good society: citizen autonomy.¹²

The two beginnings of the work noted in the introduction are therefore more than a simple curiosity or a symptom of insufficient planning on the part of the author. They reveal that the *Social Contract* is really a text at war with itself. What is presented by Rousseau in Book I is systematically denied by the figure of the lawmaker in Book II.

4. La mort dans l'âme

As noted to begin with, some contemporary interpreters choose to simply disregard the lawmaker. After all, he only appears in one chapter, and this chapter has no real bearing on Rousseau's general line of argument. The lawmaker, in other words, is an anomaly.¹³ Nevertheless, as should be clear from the above analysis, it is precisely because he is an anomaly that his inclusion in the work is interesting. Furthermore, the fact that the chapter in question does not steer Rousseau in a different direction does not mean that it in no way affects the text's general line of argument. As noted previously, according to Žižek, the Real never appears as such. It only manifests itself as symptoms in our ideological reality. Can we point to any symptoms in Rousseau's narrative of the good society that may indicate the text's internal division?

It is clear from Rousseau's *Second Discourse* that he sees human nature as essentially malleable. Human nature develops, first because of interaction with the natural

environment, later because of human interaction.¹⁴ In his discourse on political economy, he draws the political consequences of this insight: Governments need to create citizens, a process which begins with state education. Rousseau follows up this consideration in the *Social Contract* by emphasizing the role of morality (les mœurs)¹⁵ in directing the way in which individuals act, and he points to the ways in which good laws shape this morality. Finally, he mentions the necessity of a civil religion in order to keep the people virtuous.

In light of this radically constructivist approach to human nature and his keen awareness of the ways institutions can and should mold people, Rousseau's well-known pessimism is a rather curious phenomenon. Not only does he state that a good society is impossible in all but extremely rare circumstances (notably Corsica (Rousseau 1964: 391)), he also declares that even if the good society were actually to be established, it would begin to die as soon as it was born (Rousseau 1964, 424). Most commentators simply note this pessimism (see e.g. Levine 1993, Garrard 2003, and Shklar 1985), but seen from Žižek's perspective, it acquires a specific significance.

In several books, not just in *The Sublime Object of Ideology*, but also in, e.g., *Tarrying With the Negative* (1993), he treats the phenomenon of racism in general and antisemitism in particular. Fascism, in all its different manifestations, is basically a corporatist ideology, a family of policies based on the idea that society is a common project to which all citizens should contribute. In reality, however, class struggle makes the envisioned unity impossible. The impossibility of the "good" society, in other words, is a basic feature of society itself. But Fascism solves this problem by introducing "the Jew" as an alien element which is really to blame for society's lack of unity (Žižek 2008: 140-143). The fantasy of the Jew, in other words, is what allows Fascism to preserve its dream of popular unity: The impossibility of this dream, which in reality resides in society itself, is projected onto the imaginary outsider (who, for that reason, needs to be exterminated). Is it possible to detect a similar ideological dynamic in the *Social Contract*?

Why is it that the good state, according to Rousseau, begins to die as soon as it is born? Government overreach plays a major role in its decay (Rousseau 1964: 421-423). All states need a government, but the role of government is simply to administer public affairs in accordance with the general will. The problem, according to Rousseau, is that the government is not guided merely by the general will, but also by what he refers to as "organ will", i.e. the interests of the government rather than of society as a whole (Rousseau 1964: 400). This will is really a special case of what he also refers to as the individual's particular will.

Unlike the general will which aims at the good for society as a whole, the particular will is selfish, it wants what is best for the individual in a constant competition with other individuals. But it is also mistaken; adhering to the general will is the only way in which a person living in society can be free, so when an individual tries to free itself from the demands of the common good, it really enslaves itself. This is the logic behind Rousseau's famous quote that individuals who reject the general will need to be "forced to be free" (Rousseau 1964: 364).

The paradoxical nature of this expression has obviously not been lost on interpreters, but following Žižek's approach will allow us to make more of it than simply note the contradiction hidden in Rousseau's turn of phrase. As we just said, what is claimed to be lost by the person's adherence to the particular will is individual free will. This loss is claimed to come from outside the good society, from a primitive selfishness characterizing the individuals who – despite a good education, good institutions etc. – are unable to see that the only way to be free in society is to abide by the general will.

In reality, though, as we have seen, the loss of individual freedom is at the root of the establishment of the good society, this freedom is negated by the lawmaker's manipulation. To become free, the citizen is first deprived of its (natural) freedom. The loss of individual liberty, in other words, is not something external from the good society, it is the very foundation on which citizens acquire their (civil and moral) liberty. Or to rephrase this point in yet a third manner: We are all forced to be free, not because we do not obey the laws, but because the denial of our natural liberty is who we are. This further implies that there is no difference between freedom and coercion. The only freedom in society is one which is forced upon the individuals. The eternal presence of the particular will as the snake in Rousseau's paradise thus serves as a symptom of the fact that the *Social Contract's* general purpose, the definition of a political legitimacy not built on force, is an illusion. Or you could say that the real paradox of being "forced to be free" is precisely that it is not paradoxical at all, the sentence rather marks a point in the text where a repressed materialism breaks down the idealist contrast between force and legitimacy to reveal their secret solidarity. The paradox, in other words, is not in Rousseau's turn of phrase, but in reality itself – the author (albeit despite himself) actually very precisely captures the essence of what it means to be a human being in society.

5. Conclusion: The Wild Rousseau

In her classic introduction to Rousseau's philosophy, Shklar states that "Nothing is gained by hunting down Rousseau's self-contradictions. They reveal nothing of interest." (Shklar

1985: 221). This approach seems to be also guiding some commentators as they choose to downplay and even disregard the *Social Contract's* chapter on the lawmaker. Characteristically, such interpreters often try to find out how Rousseau can be applied in relation to a modern political reality of liberal representative democracies. Quite a lot of what Rousseau has to say about politics has to be disregarded in order to make him fit in with that agenda!

It is unsurprising that contemporary liberals would read Rousseau in this manner. For what we referred to above as the “idealist” Rousseau resonates much better than his historicist counterpart with liberal mythology. In the liberal imaginary, everything begins with “We, the people”, the supposed sovereign (to use again Rousseau’s term) subject of politics. This narrative requires a forgetfulness. Specifically, if it is to be persuasive, we need to forget all that comes before “We the people” to decisively limit, shape, and, in short, form this subject in a manner that renders it anything but sovereign. To mention just a few examples, slavery, colonization, patriarchy, and capitalism all define what “We the people” can be in a contemporary liberal representative democracy. In that sense they are the sovereign subject’s preconditions while at the same time rendering its sovereignty null and void. They are, in other words, the traumatic truth of the liberal imaginary. In this sense, the above reading of Rousseau’s *Social Contract* tells us something about not only the text in question, but also the usefulness of Žižek’s approach when it comes to understanding liberal ideology in general. What makes Rousseau stand out from this ideology is the extraordinary fact that his text makes explicit both the idealist narrative and its historicist refutation.

This is obviously also the reason why we have not heeded Shklar’s advice in this context, but focused specifically on Rousseau’s self-contradictions. Authors are usually all the more interesting for such contradictions. Theories may of course be interpreted one way or the other, but what truly requires explanation is the ways in which they fail to present us with a consistent message. Our reading suggests that far from being a simple text – and far from being simply inconsistent – the *Social Contract* is torn apart by conflicting approaches. One might suggest that this is the symptom of an age of rapid and fundamental change: Aware of the impending collapse of feudalism and absolutism, Rousseau’s text reveals a fundamental ambivalence in the face of the advent of a new world order.

Instead of trying to reduce this dynamic within the text by focusing exclusively on Rousseau the idealist or Rousseau the historicist, we have tried to follow both approaches in their unstable relationship and to decipher the symptoms that one of them produces in the other. Rather than trying to domesticate Rousseau by downplaying or explaining away the function of the lawmaker in order to make him fit in with liberal democracy, what we have tried to do is to give

voice to what one might call the wild Rousseau, to the combination within a single text of these incompatible extremes.

This reading has consequences not just for our understanding of liberal ideology and the Social Contract, but also for our interpretation of Rousseau's political philosophy as a whole, and in particular for our view of the relationship between his two major works in the genre, the *Second Discourse* and the *Social Contract*. It is, of course, a classical interpretation (see e.g. Cassirer 2012 and Cullen 2019) that the latter solves the problems posed by the first: In the good state, the toxic alienation between humans described by the *Second Discourse* is transformed into an emancipatory alienation to the state. Based on our interpretation in this context, this conclusion seems questionable. While Rousseau on the one hand may be read as saying that the good society is the solution, his text also, on the other hand, suggests that things may not be that simple: Socialization, even in the very best society, always leaves an ineradicable scar, an original trauma. The lawmaker is here to remind us that not even the best symbolic order is free from being haunted by the Real.

¹ This is obviously not the first time ideology criticism is brought to bear on the *Social Contract*; notably Althusser's analysis of the text (Althusser 1998) is a classic. However, the present article is motivated by the idea that Žižek's theory of ideology, because of its differences from Althusser's, may provide us with insights and interesting perspectives not found in that classic text.

² To be clear: The claim here is not that the co-existence of two beginnings in the text in and by itself constitutes a problem or even a "contradiction". The claim is rather that it serves as a symptom of more important tensions in the text.

³ The precise meaning of the concepts "idealism" and "materialism" in this context will, of course, become clear from the text, yet in order to immediately counter potential misunderstandings and objections, I will just briefly motivate their application. First, the term "idealism" is used in this context to refer to Rousseau's efforts in the *Social Contract* to define the principled features of the good society irrespective of historical and social circumstances. Second, it may seem rather daring to ascribe a "materialist" side to Rousseau, in particular in the *Social Contract*. Not only is the text itself hardly known for its materialist approach, it is also published the same year as *Emile*, in which Rousseau explicitly attacks materialism (Rousseau 1969: 570). It is important to note, therefore, first that "materialism" in this context does not refer to 18th century Enlightenment materialism as in, e.g., d'Holbach or Helvétius, but is inspired by later Marxist applications of the concept. While "materialism" in a Marxism denominates a number of themes and problems rather than a doctrine (Bensussan and Labica 1999: 720-723), in this context the term will be used to refer to an approach which sees the use of force (for instance in the sense of class struggle) as an essential motor of historical change. Second, the claim is not that Rousseau is a materialist in this (or even in any) sense of the word (certainly not in the *Social Contract*, although his discourse on the origins of inequality might be read along these lines; see Althusser (2006: 107-127) for a materialist reading of that work), but rather that he fails to completely control the book's message, and that part of it therefore communicates a materialist message despite the author himself.

⁴ It is not clear from Rousseau's text whether he believes that human beings at this time live together in pre-state societies as was the case in his *Second Discourse*, but it seems fair to assume that they do.

⁵ Even though it is customary in contemporary texts to use female pronouns, we use male pronouns in this context in order to avoid the risk of anachronism. For according to Rousseau, citizens can only ever be male. For discussions of Rousseau's problematic view of gender, women and of the relationship between the sexes see e.g. Schwartz 1984, Thomas 1991, Lange 2002, and Kennedy 2010.

⁶ As is well known, Dent (2005: 105-106) claims that amour propre is not necessarily toxic but can be understood as a demand for equal recognition. Still, even if one accepts this interpretation, it seems hard to deny that for Rousseau, amour propre is mostly a destructive force in the relationship between individuals.

⁷ Marx provides an interesting contrast here: According to him, Communist society only becomes necessary as well as possible in the specific historical situation where the bourgeoisie has expropriated the primary producers' means of production.

⁸ It is, of course, a matter of debate to what degree the *Second Discourse* is to be understood as a reconstruction of history. Rousseau himself notes that facts have nothing to do with his analysis (Rousseau 1964: 132), yet at times he admittedly seems to convince himself of the factual nature of the development presented by him. This is not a discussion that we will delve into here.

⁹ However, as noted by Trachtenberg (1993: 176), in the *Social Contract* "les mœurs" play only a very modest role.

¹⁰ Actually, Althusser's view of ideology is somewhat more nuanced, and this short summary obviously fails to do justice to it. His own solution to the problem mentioned above is found in the posthumous work *Sur la Reproduction* (Althusser 1995).

¹¹ Interestingly, in *Living in the End times*, Žižek makes a similar point in relation to liberalism: "the 'subject of free choice' (in the Western 'tolerant' multicultural sense) can only emerge as the result of an extremely violent process of being torn away from one's particular lifeworld, of being cut off from one's roots." (Žižek 2011: 52).

¹² One might try to defend Rousseau here by saying that the individuals only acquire the ability to act autonomously through the laws and institutions put in place by the lawmaker, and so his lies and deception do not really violate their autonomy. This, however, is incompatible with the text. For not only must the laws be passed by the people which requires it to have a not-insignificant level of reflection and rationality, even if they are deceived. The lies told by the lawgiver also only work on people capable of reflection and rationality (you

have to be able to understand the rather abstract idea that gods may dictate their will to human beings in order to be deceived by the lawmaker). At the point of entering civil society the people is therefore capable of informed and reflective decision making to such an extent that it invalidates the aforementioned attempt to defend Rousseau.

¹³ However, while it is true that the lawmaker only appears in Book II, chapter 7, the logic of paternalistic deception is also found in the previous chapter where Rousseau says of the people that “Il faut lui faire voir les objets tels qu’ils sont, quelquefois *tels qu’ils doivent lui paraître*” (Rousseau 1964: 380, emphasis added).

¹⁴ For an in-depth analysis of the *Second Discourse*, see Neuhouser 2014.

¹⁵ Much has been written in recent scholarship on Rousseau’s use of the concept *moeurs*, see e.g. Schwartz (1984), Fralin (1986), Trachtenberg (1993), and Morgenstern (2002).

References

- Althusser, L. (1976) *Positions*, Paris: Éditions Sociales.
- Althusser, L. (1995) *Sur la reproduction*, Paris: PUF.
- Althusser, L. (1998) “Sur le ‘Contrat Social’(1967),” in L. Althusser *Solitude de Machiavel*. Paris: PUF.
- Althusser, L. (2006) *Politique et Histoire de Machiavel à Marx. Cours à l’École normale supérieure 1955-1972*, Paris: Éditions du Seuil.
- Bensussan, G. and Labica, G. (1999) *Dictionnaire critique du marxisme*, Paris: PUF.
- Cassirer, E. (2012) *Über Rousseau*, Berlin: Suhrkamp Verlag.
- Cohen, J. (2010) *Rousseau. A Free Community of Equals*, Oxford / New York: Oxford University Press.
- Cullen, D. (2019) “From Nature to Society,” in E. Grace and C. Kelly (ed.) *The Rousseauian Mind*, Oxon and New York: Routledge.
- Dent, N. (2005) *Rousseau*, London and New York: Routledge.
- Fralin, R. (1986) “Rousseau and Community: The Role of ‘Moeurs’ in Social Change,” *History of Political Thought*, 7, 1: 131-150.
- Garrard, G. (2003) *Rousseau’s Counter-Enlightenment. A Republican Critique of the Philosophes*, New York: State University of New York Press.
- Hobbes, T. (2017) *Leviathan*. London: Penguin Books.
- Jameson, F. (2011) “Rousseau et la contradiction,” in Luc Vincenti (ed.): *Rousseau et le marxisme*, Paris: Éditions de la Sorbonne Collection.
- Kennedy, R. T. (2010) *Rousseau in Drag. Deconstructing Gender*, New York: Palgrave Macmillan.
- Lange, L. (ed.) (2002) *Feminist Interpretations of Jean-Jacques Rousseau*, University Park: The Pennsylvania State University Press.
- Levine, A. (1993) *The general will. Rousseau, Marx, communism*. Cambridge: Cambridge University Press.
- Masters, R. D. (1976) *The Political Philosophy of Rousseau*, Princeton: Princeton University Press.
- Morgenstern, M. (2002) “Women, Power, and the Politics of Everyday Life”. In L. Lange (ed.) *Feminist Interpretations of Jean-Jacques Rousseau*, University Park: The Pennsylvania State University Press.
- Neuhouser, F. (2014) *Rousseau’s Critique of Inequality. Reconstructing the Second Discourse*, Cambridge 2014: Cambridge University Press.
- Pezzillo, L. (2000) *Rousseau et le Contrat Social*, Paris: PUF.
- Rousseau, J-J. (1964) *Oeuvres Complètes de Jean-Jacques Rousseau III*. Paris: Éditions Gallimard.
- Rousseau, J-J. (1969): *Oeuvres Complètes de Jean-Jacques Rousseau IV*, Paris: Éditions Gallimard.
- Schwartz, J. (1984) *The Sexual Politics of Jean-Jacques Rousseau*, Chicago and London: The University of Chicago Press.
- Shklar, J. (1985) *Men and Citizens. A Study of Rousseau’s Social Theory*, London / New York: Cambridge University Press.
- Spector, C. (2019) *Rousseau*, Cambridge / Medford: Polity Press.
- Thomas, P. (1991) “Jean-Jacques Rousseau, Sexist?,” *Feminist Studies*, 17, 2: 195-217.
- Trachtenberg, Z. (1993) *Making Citizens. Rousseau’s Political Theory of Culture*, London and New York: Routledge.

- Žižek, S. (1993) *Tarrying with the Negative - Kant, Hegel, and the Critique of Ideology*, Durham: Duke University Press.
- Žižek, S. (1999) *Mapping Ideology*, London: Verso.
- Žižek, S. (2008) *The Sublime Object of Ideology*, London: Verso.
- Žižek, S. (2011) *Living in the End Times*, London: Verso.