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The Problem of Impulse and Restraint Is Jean-Jacques Rousseau

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THE PROBLEM OF IMPULSE AND RESTRAINT

IN JEAN-JACQUES ROUSSEAU

by

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B.A., College of William and Mary, 1961

A thesis submitted to the Faculty of the Graduate School of the University of Colorado in partial fulfillment of the requirements for the degree of Master of Arts

Department of Philosophy

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Machle's aim is to
overcome limitations perceived by restraint, in order to restore
experience; the rationalist or Kantian element can thus be assimilated into his theory of sentiment. The peculiar alliance of reason and sentiment explains the confusion arising from his discussion of legality and restraint.
One of the more perplexing problems in the writings of Jean-Jacques Rousseau is the apparent inconsistency between the conceptions of natural impulse and restraint. Rousseau appears to advocate simultaneously the law of the heart and the restraint of the passions.

To throw light on this problem, Rousseau is compared with Kant. This comparison reveals that the rationalist elements in Rousseau cluster about the conception of will, viz., autonomy of the will, self-legislation, universalization principle, etc. Where they differ most radically is on the function of sentiment and conscience, the apprehension of the moral law and the status of the universalization principle. Each of these difficulties is examined carefully.

First difference: In objecting to the lack of subjective motivation in Kant's moral theory, the assertion will be made that Rousseau presents a theory of enlightened moral sentiment in which reason and sentiment are never separate. Rousseau's aim is to overcome factitious passions by restraint, in order to restore conscience; the rationalist or Kantian element can thus be assimilated into his theory of sentiment. The peculiar alliance of reason and sentiment explains the confusion emerging from his discussion of impulse and restraint.
Second difference: The intertwining of reason and sentiment gives Rousseau a complex conception of natural law. He accepts the idea that moral law emanates from reason, and adds to this a conception of natural right derived from the natural feelings. He is therefore able to argue that what reason knows to be good, conscience senses to be good. The objective moral law known to reason is reflected in the conscience.

Third difference: Kant regards the universalization principle as a moral principle; Rousseau thinks of it as a moral-political principle. This emphasis by Rousseau implies that natural right is built into the dynamics of the general will. To defend this point, particular emphasis must be placed on justice and its function in the act of universalization. Finally, it is asserted that the general will has both objective and subjective components; reason and sentiment are allied in impelling us to comply with the general will.

This abstract is approved as to form and content.

Signed Edward J. Habich
Faculty member in charge of thesis
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THE PROBLEM OF IMPULSE AND RESTRAINT

In this approach, the totality of Rousseau's work appears as a web of tangled motives, yet bound together in such a peculiar manner as to suggest an indescribable pattern. Rousseau, man and writings, seem to embody Rousseau's conception of human nature.

What a skimmer in men? What is novelty? What a concept, and a dream, what a combination, what a period! Judges of all these, Medecine worsh of the error, inconstancy of truth, a wish of uncertainty and error; the unity and ever of the universal

Who will unravel this tangle?

Yet there are those who claim to have unraveled the tangled webs and discovered a hidden unity in Rousseau's thought. The great unifiers, e.g. Condorcet and Fichte, would unpack the image of the sky; they would prove instead the existence of submerged currents. That is, they would explain the notorious contrariness of Rousseau as a mere interweave of some winds of rhetoric, accidental counter currents, or mere hyperbole. But underlying those superficial disturbances they would find strong and regular undercurrents which, once grasped, would reveal a fundamental unity in Rousseau's works.

There is no denying the appeal of some obscure pattern in all these disturbances. Rousseau himself after some of his speculations and suggestions in the Confessions that there are no fundamental

CHAPTER I

THE PROBLEM OF IMPULSE AND RESTRAINT

On first approach, the totality of Rousseau's works appears as a heap of tangled thread, all of different length and hue, yet knotted together in such a peculiar manner as to suggest an indecipherable pattern. Rousseau, man and writings, seems to embody Pascal's conception of human nature:

What a chimera is man! What a novelty! What a monster, what a chaos, what a contradiction, what a prodigy! Judge of all things, imbecile worm of the earth; depository of truth, a sink of uncertainty and error; the pride and refuse of the universe! Who will unravel this tangle? ¹

Yet there are those who claim to have unraveled the tangled skein and discovered a hidden unity in Rousseau's thought. The great unravelers, e.g., Cassirer and Hendel, would spurn the image of the skein; they would prefer instead the metaphor of submerged currents. That is, they would explain the notorious contrariety of Rousseau as a surface phenomenon: cross winds of rhetoric, paradoxical counter currents, or sheer hyperbole. But underlying these superficial disturbances they would find strong and regular undercurrents which, once grasped, would reveal a fundamental unity in Rousseau's works.

There is no denying the appeal of some obscure pattern in all this diffuseness. Rousseau himself often spoke of his system, and suggested in the Confessions that there are no fundamental

¹Blaise Pascal, Thoughts (Cleveland, 1955), p. 159.
discrepancies in his major works. Certainly this mode of interpretation could be carried quite far; one could attribute much of the perplexity to Rousseau's style. His taste for epigram and rhetorical flourish, for example, often disposed him to speak with much exaggeration. Thus, when he declares that "man is born free but everywhere he is in chains," we must beware of the ambiguity of the word 'freedom'; we must see it in the context of subsequent remarks on natural and moral freedom. For it becomes evident that this remark is not a statement of thesis; rather, it is a banner flashed before the reader's eyes in order to arrest his attention. Once he passes beyond the first few pages, he will search in vain for its reappearance. Again, Rousseau's predilection for paradox has caused much confusion. That a citizen may be "forced to be free" means simply that he may be obliged to renounce his natural selfishness for the general interest, yet this remark has yielded all sorts of sinister interpretations. And again, the most confusing of all Rousseauian stylistic mannerisms is the use of the same word in completely different senses. This habit is no mere sloppiness on his part; he actually chose to write in this manner:

"...we can make our meaning clear, not always by using words in the same sense, but taking care that every time we use a word the sense in which we use it is sufficiently indicated by the

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4 Ibid., p. 16.
sense of the context..."5 Whatever Rousseau's intention, his usage in this regard has yielded very little clarity. Hence commentators have attacked his notion of the natural goodness of human nature without attempting to reconcile it with his assertion that man in the state of nature is amoral. Yet, in the same work in which Rousseau states "man is naturally good," he also asserts, "men in a state of nature, having no moral relations or determinate obligations one with another, could not be either good or bad, virtuous or vicious."6 Clearly, Rousseau is using the word 'good' in two different senses, supposing that we can garner the subtle differences from the context. Natural goodness apparently refers to innocence, i.e., the absence of radical evil in the pristine state of human nature; it must be understood in the context of Rousseau's disputes with the advocates of original sin. On the other hand, what is absent in the state of nature is moral goodness, which can only be achieved by civilized man through the restraint of passions.

All these difficulties must be borne in mind if one is to understand Rousseau. Even if much surface contrariety is dispelled by illuminating complexities of style, however, there are still manifold difficulties which should be resolved. To give one minor illustration: The Discourse on the Origin of Inequality places the blame of all social evil on the institution of private property; with the help of Robert the gardener, Emile is taught very

early in life to respect private property. If this example proves somewhat trivial, we can point the finger of accusation at one of the more nagging perplexities in Rousseau, the problem of reason and sentiment. For it seems that he advises us to both restrain passion through reason, and to follow the heart while remaining wary of rational sophisms.

No doubt, instances of a similar nature could be multiplied indefinitely, and much sweat could be expended in debating possibilities of a total reconciliation. But the question which emerges is: who is qualified to speak on the whole of Rousseau? He who will unravel this tangle must overcome a mountain of commentary; he must dispel popular prejudice; he must steel himself in face of the temptation to ravish the all-too-yielding generalities of Rousseau. This last temptation is particularly susceptible to abuse. The glittering generality of the Social Contract makes it amenable to diverse interpretations; the minute detail and digressions of Emile often obscure the argument. These circumstances make for considerable freedom in interpretation, perhaps justifying Ernest Barker's remark that every man finds his own dogmas in Rousseau.

The prodigious literature on Rousseau, combined with the inherent difficulties of interpretation, enjoin me to assume a modest position concerning the so-called hidden unity. It is well to follow here a fundamental precept of Emile: "Let us measure the extent of our sphere and remain in its center like a spider in its web."


\[\text{8} \] Rousseau, Emile, p. 45.
Rather than claiming to have discovered the true core of Rousseau, or the great central proposition, what will be offered here is one possible solution to the problem of reason and sentiment. In presenting this problem, an attempt will be made to lay bare the inner dynamics of thought and sentiment and to demonstrate possible consequences such analysis may have on Rousseau's conception of natural right and the general will. Because of the controversy that still rages over Rousseau, every attempt will be made to follow the texts as closely as possible; ample references will be supplied, in order to substantiate any claims. In other words, we will try to emulate the spider.

If there is only controversy over the unity of Rousseau, there is at least agreement that very divergent tendencies are present in his works. One must consider the men he influenced in order to grasp the divergence, e.g., Byron, Chateaubriand, Robespierre, St. Just, Kant, Fichte, Hegel, Goethe, and even James Fenimore Cooper. A recent work by M. Markovitch has established a strong link between Rousseau and Tolstoi. Of these tendencies, the one which will concern us is the conflicting movements to romanticism and rationalism. Baillie interprets Hegel as regarding Rousseau as a moral sentimentalist, whose ultimate moral principle was the romantic law of the heart.\(^9\) Certainly, Rousseau's remark in *Emile*, "what is felt to be right is right, what I feel to be wrong is wrong,\(^10\) would support this assertion. Kant, on the other hand,

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\(^10\)Rousseau, *Emile*, p. 249.
was impressed with Rousseau's emphasis on duty and restraint of the passions; he went so far as to call him the Newton of the moral world. Kant's statement in the *Fragments* is even stronger.

There was a time when I thought that knowledge alone could constitute the honor of mankind, and I despised the common man. Rousseau set me right. This blind prejudice vanished, I learned to respect human nature...  

Turning immediately to Rousseau's works is not necessarily helpful in resolving the conflict of reason and romance. For there are indeed statements which indicate that he was an apostle of the law of the heart. "Too often does reason deceive us; we have a good right to doubt her; but conscience never deceives us, she is always the true guide of man...; conscience is the best casuist..."  

In the *Confessions*, he discusses the character of Mme. de Warens, observing that she was often misled by sophisms: "...instead of listening to her heart, which always guided her right, she listened to her reason, which guided her wrongly."  

However, there is also an abundance of statements which indicate that Rousseau advocated a rationalist ethic, and rejected the guide of impulse. No more than a handful of pages after his assertion that conscience is the best casuist, he claims, "Has he not given me conscience that I may love the right, reason that I may perceive it, and freedom that I may choose it."  

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13 *Emile*, p. 249.  
14 *Confessions*, p. 203.  
15 *Emile*, p. 257.
portrayed as being grateful to his tutor for teaching him to submit to reason and thereby escape bondage to the passions. After claiming in *Emile* that individual conscience is a law anterior to public opinion, and thus the judge of it, Rousseau claims there is still another judge: "It is, therefore, important to cultivate a faculty which serves as judge between the two guides, which does not permit conscience to go astray and corrects the errors of prejudice. That faculty is reason."  

The impact of these remarks no doubt caused David Hume to observe depreciatingly, "Really, his Writings are so full of Extravagance, that I cannot believe their Eloquence alone will support them." Perhaps Hume's evaluation is not unjustified, for Rousseau does speak as if he were both rationalist and romantic. He seems to advocate both the law of impulse and the restraint of the passions; he is both Newton of the moral world and "consciousness gone crazy." Like Gloucester in *King Lear*, he has spawned two sons, whose very existences are sources of endless conflict. Most commentators have tried to prove that either one or the other, Edmund or Edgar, is the bastard son. What shall be attempted here is a reconciliation between the sons of Gloucester. That is, the tension between reason and sentiment may indicate they are inseparable; the exclusive preference of one over the other would lead to either formalism or subjectivism. Although Rousseau's language may be ambiguous, his position, it is submitted, is that reason

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16 *Emile*, p. 345.
18 Hegel, *Phenomenology of Mind*, p. 396.
and sentiment must work in close harmony if morality is to be achieved. The romantic element in Rousseau is well known, and requires no further documentation here. The rational element, however, is less commonly known; it is this aspect of Rousseau that must be emphasized in order to get an adequate conception of his thought. In order to achieve this end, it will be helpful to present his position by means of an extended comparison with Kant. The intent is of course not to present an exhaustive examination and criticism of Kantian morality but merely to use it as a backdrop, against which the diffuse statements of Rousseau can be brought into sharper focus. It is hoped that by demonstrating the similarities, the differences will become even more apparent. Without this conscious imposition of order it is conceivable that one could be lost in the turbulence of Rousseau's presentation.

The characteristic to be exploited here is the formalism of Kant's moral theory. In contrast to Rousseau's diffuseness, Kant presents an impressive array of formal principles; it strikes one as a catalogued and mounted collection of abstractions, presented in an intricate system of arrangement; here the image of the archivist or curator leaps to consciousness. And one may rightly ask, where is man in this musty collection? There is an implicit humanity embedded in Kant's system, but it is obscured by the formal apparatus and the high level of abstraction. His rigorism can be mitigated by the Lectures on Ethics; remarks garnered from these works reveal an evident sympathy with Rousseau. Before proceeding
to this early work, however, it is necessary to examine the form-
ialized system, seeking out similarities to Rousseau, and raising
criticisms that follow from Rousseau's position. By this proce-
dure, the conflict and reconciliation of impulse and restraint
will become clear.

In order to effect this plan, we shall emulate Kant's own
procedure. We shall proceed to examine his major principles in
a systematic manner, attempting to couple each with the germ of
the idea in Rousseau. We shall pass through the system as if it
were a catalogued collection of specimens, reading all the labels
and noting the arrangements. Once the tour is complete, we shall
try to demonstrate that Kant's theory incorporates only a part of
Rousseau's. What Kant neglects may prove a pertinent criticism
of what he incorporated.

In a famous passage, Kant illustrates the primacy of restraint
and duty over inclination in determining true moral worth. The
sagaciously man, who acts generously simply from duty, has greater
worth than the benevolent man, whose inclination disposes him to
philanthropy. 19

Rousseau: The popular image of Rousseau often envisages him
as an apostle of romantic individualism. He is depicted as a li-
berian, to whom the slightest restraint was hateful. Indeed,
there are remarks in the Confessions which could substantiate

19 Kant, Metaphysic of Morals (New York, 1949), pp. 18, p. 16.
CHAPTER II
THE KANTIAN OR RATIONALIST ELEMENT IN ROUSSEAU
I. Restraint of the Passions.

Kant: We are often aware of constraint while experiencing the pangs of desire. We are goaded by passion, and, at the same time, restrained by a sense of duty. If a man's behavior could be wholly explained by external determinations, e.g., glands, culture, climate, etc., he could not be thought of as a self-determining moral agent. There could be no way he could choose duty over inclination. His free choice would be, as Hobbes claims, the final passion in the chain of deliberation. But the sense of duty assures us that we are not Hobbesian men; it gives us the conviction that we are not passive receptacles for external or bodily causes. The conflict of duty and desire holds out the possibility of autonomy, of action in which we are the determining cause.

In a famous passage, Kant illustrates the primacy of restraint and duty over inclination in determining true moral worth. The niggardly man, who acts generously simply from duty, has greater worth than the benevolent man, whose inclination disposes him to philanthropy.

Rousseau: The popular image of Rousseau often envisages him as an apostle of romantic individualism. He is depicted as a libertine, to whom the slightest restraint was hateful. Indeed, there are remarks in the Confessions which could substantiate

19Kant, Metaphysics of Morals (New York, 1949), pp. 18, p. 16.
this claim: "...restraint and subjection of any kind are to me at all times unbearable, they would make me hate even pleasure itself."\(^{20}\) This trait in Rousseau's character is quickly seized upon by Maritain, whose writing on Rousseau thus is closer to character assassination than to philosophical criticism.\(^{21}\) Weaknesses in the man, however, are not necessarily weaknesses in his ideas; however disastrous Rousseau's attempts at self-discipline, his intention clearly lay in the control of the passions. The Nouvelle Heloïse, a novel of no meager proportions, is devoted to the ideal of restraint. St. Preux, the protagonist, whose attraction to Julie engulfs him in a perpetual struggle of jarring passions, must finally confess that "he is a wretch indeed who scruples giving up one day of pleasure to the duties of humanity."\(^{22}\) In the Social Contract, Rousseau makes even a firmer declaration in favor of restraint:

...only, when the voice of duty takes the place of physical impulse and the right of appetite, does man, who so far considered only himself, find he is forced to act on different principles and consult his reason before listening to his inclinations.\(^{23}\)

Rousseau's abstract zeal for self-mastery was so great that on occasion he approached Kant's rigorism. In the Reveries he writes, "there is no virtue in following one's inclinations..."

\(^{20}\)Confessions, p. 196.

\(^{21}\)J. Maritain, Three Reformers: Descartes, Luther and Rousseau (New York, 1937), pp. 96 ff.


\(^{23}\)Social Contract, p. 18.
but virtue consists in conquering them when duty commands."^24 Roosevelt adds, characteristically, that this he is less able to do than any mortal.

II. Autonomy of the Will.

Kant: Knowledge is only possible by means of the forms of sensuous intuition and the categories of the understanding; they must be imposed on the manifold of sensuous intuition if we are to have any experience whatsoever. Man, if he is to be understood as a part of nature, must be understood by means of the categories. Therefore, his acts in the world must be subsumed under the category of causality, i.e., as a link in the necessary causal chains of nature. But if man is enmeshed in causal chains, he is not free, and there can be no morality without freedom.

The conflict of freedom and necessity is resolved for Kant in the third antimony of pure reason. The empirical self, as understood through the categories, is necessarily conditioned by events in nature, i.e., the world of phenomena as it is structured by the understanding. But reason presents us with the possibility of a noumenal self "which is itself free from all laws of nature,"25 and thus can function as an unconditioned moral agent. Kant of course can offer no proofs of such freedom, for assertions about noumena would be an overextension of the legitimate use of the understanding. But he can claim the practical necessity of freedom as a prerequisite for morality. Pure reason presents us with the

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Idea of possible freedom beyond the world of phenomenal nature; we must use this idea as a regulative principle, if there is to be any morality at all.

If we postulate a freedom beyond the world of appearance, we can conceive of the will as autonomous, i.e., as unconditioned by empirical causes. We can think of it as "the faculty of determining oneself in accordance with the conception of certain laws." But the laws which we legislate for ourselves are of a different order than the laws necessitated by the categories. They are laws of freedom, laws which we as rational beings, give to ourselves.

Rousseau: There are passages in which Rousseau suggests a resolution of freedom and necessity which is quite similar to Kant's antimony. In Emile, he presents, albeit vaguely, the distinction of empirical and transcendental selves: "man is not one; I will and I will not; I feel myself at once a slave and a free man; I am active when I listen to the voice of reason; I am passive when I am carried away by my passions." In Inequality, the germ of the distinction between freedom and necessity is found: "the power of willing or choosing is nothing but acts which are purely spiritual and wholly inexplicable by the laws of mechanism." Finally, he states unambiguously the concept of self-legislation:

man acquires in the civil state, moral liberty, which alone makes him truly master of himself; for the mere impulse of appetite is slavery, while obedience to a

26 Kant, Metaphysics of Morals, pp. 55, p. 44.
27 Emile, p. 241; cf. also p. 243.
28 Inequality, p. 208.
law we prescribe to ourselves is liberty.²⁹

We should be grossly mistaken if we concluded from the above that Rousseau was anticipating a critical theory of knowledge. Rousseau's distinction of freedom and human bondage rests squarely on the acceptance of Cartesian dualism. Material substance operates according to mechanism; freedom is only possible in a radically different realm of spiritual substance.³⁰ Thus Rousseau's distinction is metaphysical, rather than epistemological. How free will affects the mechanical world is for Rousseau completely incomprehensible. But he does not trust abstract reason, and has no use for metaphysical subtleties. He would reject the whole of Newtonian mechanics if it contradicted the freedom revealed directly in his consciousness. "How do I know that there are spontaneous movements? I tell you, 'I know it because I feel them'...In vain would anyone try to argue me out of this feeling, for it is stronger than any proofs."³¹

III. The Moral Law.

Kant: When we act from a sense of duty in order to overcome impulse, we are acting for the sake of the moral law. The moral law, if it is to be the ultimate source of all morality, must be purely formal, i.e., it must be valid for all rational beings. "Since moral laws ought to hold for all rational creatures we must derive them from the general concept of a rational being."³² If

³⁰Emile, p. 236.
³¹Ibid., p. 234.
³²Metaphysics of Morals, pp. 35, p. 29.
it were derived from empirical grounds, it would vary from culture to culture; it would be debased by all sorts of subjectivism, since feelings, which "naturally differ infinitely in degree cannot furnish a uniform standard of good and evil." Only if the moral law is a priori, i.e., a necessary and universal principle of practical reason, can it be thought to hold for all rational beings. It must be universal in its application to all creatures with reason; it must be necessary, in that it imposes itself categorically, as an unconditioned command.

For Kant, it is not enough that we act in accordance with the moral law. Rather, we must act for the sake of the law. An act in accordance with counsels of prudence or imperatives of skill is not an act of moral worth, since inclination is the spring of the action. We would be like the honest shopkeeper, who appears to act for the sake of the law, but is really governed by counsels of prudence. Only when we act from respect of the law, for the sake of duty, does our action have moral worth. "Neither fear nor inclination, but simply respect for the law is the spring which can give our actions moral worth."34

The feeling of respect accompanies, or at least ought to accompany, our apprehension of the moral law. Kant introduces it to explain perhaps the phenomenal manifestation of rational volition; it is the conscious counterpart of a free act of rational will, by which we determine ourselves to act for the sake of the law. Respect, properly speaking, is thus not an inclination;

33Metaphysics of Morals, pp. 74, p. 59.
34Ibid., pp. 71, p. 56.
rather it is a feeling generated by the apprehension of the law. Once reason has grasped the law and respect is generated, respect becomes a motive for following the law, rather than a spring of action.  

Rousseau: Rousseau asserts that there is an objective moral law ascertainable by reason. All justice comes from God, who is its sole source... there is a universal justice emanating from reason alone; but this justice, to be admitted among us, must be mutual. Humanly speaking, in default of natural sanctions, the laws of justice are ineffective among men.

In this very Hobbesian passage, Rousseau remarks the unwisdom of obeying universal laws of justice, without assurance others follow them. Adherence to the moral law, without guarantees of universal compliance, only promotes "the good of the wicked and the undoing of the just." In place of universal justice, Rousseau would have laws and conventions.

In Emile, Rousseau swings over on another tack. If the law of universal justice is without effect in governing the affairs of men, there is at least one man who can be taught to obey its commands. But this man cannot be found, he must be created. Thus Emile must be subjected to an elaborate and peculiar education if respect for the moral law is to be elicited from him.

A new element in the apprehension of the moral law is stressed in Emile. Universal justice is not merely an emanation from reason

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35Metaphysics of Morals, pp. 56, p. 44; cf. also pp. 22, p. 19, footnote.
36Social Contract, p. 34.
37Ibid., p. 34.
alone; not only in reason, but in the heart of man is it to be found. "There is therefore at the bottom of our hearts an innate principle of justice and virtue." Again, "Conscience! Conscience! Divine instinct, immortal voice from heaven; sure guide for a creature ignorant...infallible judge of good and evil."

What Rousseau means by the human heart or conscience is certainly not clear. Nor is the relation of reason to conscience particularly transparent. Discussion of these obscurities must be postponed, however. In passing, what should be noted is that the moral law for Rousseau is manifested both in reason and in the so-called human heart. In view of his remarks on the restraint of passions, it should also be evident that the human heart is something quite different from passions. But the actual nature of the moral law cannot be grasped until the problem of impulse and restraint is resolved.

IV. The Categorical Imperative.

Kant: The will of a rational being is self-legislative, i.e., it gives itself subjective maxims as principles of action. But an absolutely good will, acting for the sake of the moral law, must will universally valid maxims. That is, its subjective maxim must apply to all rational creatures; it must conform to the rule: "Act only on that maxim whereby thou canst at the same time will it should become a universal law." The a priori moral law then,

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38 Emile, p. 252.
39 Ibid., p. 254.
40 Metaphysics of Morals, pp. 47, p. 38.
which holds universally and necessarily for all men, is the categorical imperative. It is this supreme principle of morality which we must legislate for ourselves as our subjective maxim. When the will determines itself for the sake of this universal principle, then, contends Kant, "reason extorts from us immediate respect for such legislation."\textsuperscript{41}

Rousseau: It is generally acknowledged that Rousseau's basic contribution to Kantian morality is the general will, which Kant reworked into the categorical imperative. When an individual wills in common with other men to pursue some common good, his particular will merges with the general will. That is, what he wills for all men in society, he wills for himself. A strong case could be made for the insistence that the general will rests solely on a community of shared interests, but it must not be forgotten that Rousseau claims it to be an admirable agreement of justice and utility.\textsuperscript{42}

Part of the argument for justice lies no doubt in his assertion that no man is unjust to himself; the respect he shows for his own person will be generalized by the mechanics of the general will. This argument could be further extended by drawing on Rousseau's remarks about an innate sense of justice, but such development must be postponed until the relation of impulse and restraint to the moral law is clarified.

A final comment must be made. The general will contains the root of what has become known in contemporary ethics as the principle of universality. Rousseau, however, believes that neither

\textsuperscript{41}Metaphysics of Morals, pp. 24, p. 21.

\textsuperscript{42}Social Contract, p. 30.
poets nor philosophers can legislate for all mankind. The general will is local in its application, i.e., it is restricted to social orders in which an awareness of common interests is dominant. While Kant and contemporary modern writers talk of universalizing laws for all men, Rousseau regarded the city state as the ideal circumstance for the functioning of the general will. What Rousseau had in mind is Berne or Geneva, or an idealization of Sparta and the early Roman Republic.

V. Kingdom of Ends.

Kant: The mechanism of the general will is evidently being manipulated in Kant's discussion of the kingdom of ends. If every rational being acted at all times as if he were a member of this ideal kingdom, he would be at the same time obeying the universal laws he has legislated for all men.43

Rousseau: The kingdom of ends is the ideal social order in which the general will never falls mute. If every man always wills in accordance with the general will, he is both subject and sovereign; he gives and obeys the laws he wills for all men in his particular society. Rousseau is not particularly sanguine in his attitude toward such an ideal community, for it is not certain that reason always exhorts from us respect of such universal legislation. It can not be left to each man's conscience whether or not he will obey the general will. "Whosoever refuses to obey the general will shall be compelled to do so by the whole body. This means

43 Metaphysics of Morals, pp. 69, p. 55.
nothing less than he will be forced to be free."44

VI. Contradiction of the Will.

Kant: A maxim is in accordance with the moral law only if it can serve as a universal principle for all men. To test the maxim, we must see if universalizing it leads to a contradiction of the will. To will that lying should become universal, for example, is contradictory, since the very possibility of a lie depends on others' truthfulness. This illustration might cause one to believe that Kant was attempting to give a purely logical criterion for judging maxims. But he provides us with an example which is not of this nature. If a prosperous man wills niggardliness as a universal rule, he is involved in contradiction, for he may some day need assistance himself. This example may have proven pestilential for Kantian commentators, but it fits easily into Rousseau's position.

Rousseau: Insofar as men pursue a common goal, they are united in a general will. But when particular interests are elevated over the general interest, the general will breaks down into the will of all, i.e., the sum of particular conflicting wills. Thus, when the prosperous man wills that there shall be no generosity to the distressed, the general will breaks down into the disparate wills of the fortunate and the unfortunate. Properly speaking, a contradiction of the will is, for Rousseau, a conflict of interests.

44 Social Contract, p. 18.
VII. Principle of Humanity.

Kant: Kant presents an alternative formulation to the categorical imperative: "To act as to treat humanity whether in thine own person or in that of any other, in every case as an end withal, never as a means."\(^{45}\) We must be cognizant of the rationality of other men, and of their capacity for self-legislation. It is in the autonomy of the will, in the capacity to act as a free moral agent, that Kant finds the basis of human dignity.\(^{46}\)

The phrase 'humanity as an end-in-itself', coupled with the remark that Kant had learned to respect human nature, suggests that Kant would allow diluting the stringency of the moral law. But this is not the case. It is because a person is the carrier of the law that we are obliged to respect him. "Respect for a person is properly only respect for the law (of honesty, etc.) of which he gives us an example."\(^{47}\)

Rousseau: Rousseau presents two reasons why one should respect human nature. The first is similar to Kant's in that it stresses the significance of autonomous action. It is the capacity for self-determination rather than reason which distinguishes men from brutes; it is in the consciousness of this liberty that the spirituality of his soul is revealed.\(^{48}\)

The second reason emerges from an awareness of what Rousseau calls the "essentials of humanity." For, woven into his ceaseless

\(^{45}\) Metaphysics of Morals, pp. 57, p. 49.

\(^{46}\) Ibid., pp. 67, p. 53.

\(^{47}\) Ibid., pp. 22, p. 19.

\(^{48}\) Inequality, p. 208.
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raillery against the present condition of human society, is the theme of a common humanity.

By nature men are neither kings, nobles, nor millionaires. All men are born poor and naked; all are liable to the sorrows of life, its disappointments, its ills, its needs, its suffering of every kind; and all are condemned at length to die. That is what it really means to be a man, this is what no mortal can escape. 49

Here Rousseau emphasized the capacity of imagination to enter the feelings of another, less because they are rational than because they are sentient beings. 50 The origin of this response is natural feelings which are prior to reason, viz. the instinct for self-preservation and the natural repugnance at seeing any sensible creature suffer pain or death.

Summary

The common elements in Kant and Rousseau cluster about the conception of will. Both emphasize restraint of the passions by reason, and the principle of self-legislation. In both cases, their respective positions require a conception of the autonomy of the will. The principle of universality is presented as the general will by Rousseau, and the categorical imperative by Kant. Both acknowledge an inherent worth in human nature, but not necessarily for the same reasons.

The most radical difference is the stress Kant places on reason and purity of duty, in contrast with Rousseau’s insistence on conscience. This difference, we have seen, yielded divergent

49Emile, p. 183.

50Inequality, p. 194.
views on how the moral law is apprehended. Finally, while Rousseau regarded the general will as a political principle, Kant cut it away from its civic moorings, and raised it to the supreme principle of morality.

It is to these three differences viz. (1) conscience, (2) moral law, and (3) general will that we must now turn. For they not only prove to be a significant criticism of Kant, but will yield a possible solution to the problem of impulse and restraint.

Kant's explanation of how the autonomous will so determines our actions is difficult to understand, however. In one sense we are enmeshed in causal chains; in another we are free moral agents giving ourselves a law. The question of how an act can be both free and determined, i.e., noncausal and phenomenal, is perplexing, and raises suspicions that Kant's distinction of two realms may be untenable. Of course, apprehension of law is said to generate respect, but the response of respect is rarely correlated with an act of the free will. Clearly there can be no antecedent feeling which impels us to follow the law, for then that feeling would be mere impulse.

If there is uniformity in nature, there must be uniformity in human actions, insofar as we understand nature as phenomena. But if a free act in the noncausal realm is to be efficacious in the world of appearance, it must noticeably upset the uniformity of nature. Indeed, the possibility of such interaction vitiates any talk of uniformity. As Lewis White Beck observes, this is a
CHAPTER III

ROUSSEAU'S THEORY OF MORAL SENTIMENT

The first difference we encounter is between reason and the human heart. For Kant, the moral law is indeed a principle emanating from reason alone; it is through sheer apprehension of the law that we are constrained to act for the sake of it. If the motive of our actions were anything other than pure duty, then our acts would be determined by impulse, and we would no longer be free.

Kant's explanation of how the autonomous will so determines our action is difficult to understand, however. In one sense we are enmeshed in causal chains; in another we are free moral agents giving ourselves a maxim. The question of how an act can be both free and determined, i.e., noumenal and phenomenal, is perplexing, and causes suspicion that Kant's distinction of two realms may be untenable. Of course, apprehension of law is said to generate respect, but the response of respect is merely correlated with an act of the free will. Clearly there can be no antecedent feeling which impels us to follow the law, for then that feeling would be mere impulse.

If there is uniformity in nature, there must be uniformity in human actions, insofar as we understand nature as phenomena. But if a free act in the noumenal realm is to be efficacious in the world of appearance, it must noticeably upset the uniformity of nature. Indeed, the possibility of such interaction vitiates any talk of uniformity. As Lewis White Beck observes, this is a
hard doctrine to accept.\textsuperscript{51} Kant cannot explain how the same event can be a necessary consequence of preceding events and also be determined by a free act of will.

Doubtless there are ways to re-interpret Kant so that the hardness of his doctrine can be mollified. But the issue at hand is not merely the phenomena-noumena distinction. Even on strictly phenomenological grounds, Rousseau would have a serious quarrel with an ethical argument asserted on purely rational grounds. Suppose for a moment that we are no longer concerned with the purity of an act of obligation, or the problem of freedom within a strictly deterministic conception of nature. Rather focus attention on the idea of a purely rational law. Regarding such principles, Rousseau would contend that reason alone can generate no efficacious moral sentiments; respect of the law, as Kant conceives it, is mere chimera. A purely rational rule no more generates moral sentiment than the Pythagorean theorem, unless there are certain tendencies in man which impel him to accept the law, once reason reveals it. In the Profession of Faith, Rousseau states emphatically, "To know the good is not to love it...as soon as reason leads him to perceive it, his conscience impels him to love it; it is this feeling which is innate."\textsuperscript{52} Reason may present us with a rule, but unless there is some disposition within us to obey it, it lacks the impulse to obey it, it is a mere empty principle. One knows one's

\textsuperscript{51}L. W. Beck, A Commentary on Kant's "Critique of Practical Reason" (Chicago, 1960), p. 191.

\textsuperscript{52}Emile, p. 253.
duty but only lacks the impulse to obey it, a circumstance abundantly illustrated in the Confessions. Respect for the moral law must spring from within, from conscience; it cannot be generated by mere intellectual apprehension of the law. Thus, concludes Rousseau, "Reason alone is not sufficient foundation for virtue."

Perhaps an example would best illustrate Rousseau's objection. When James I, upon entering Newark, exercised his conception of royal prerogative by hanging a cutpurse, it was clear to most Englishmen that James's idea of justice was somewhat distorted. Yet had James's first act of arbitrariness been to appoint the cutpurse Chancellor of the Exchequer, we could still say that James was acting unjustly; i.e., the punishment does not fit the crime. Had the cutpurse been castrated, disemboweled and quartered, a procedure not unheard of in Jacobean England, our sense of justice would have been outraged. In all three cases, our judgment of James's supposed actions does not rest on principles emanating from reason alone. Of course, an argument may be made from common law, i.e., certain conceptions of justice are instilled through centuries of practice. But this still doesn't explain the sense of outrage which is caused by the last example. What seems to be the case is that there are sympathetic tendencies in men which are excited by such acts of callous brutality. This, at least, I would take to be Rousseau's position. The decrees of conscience are not judgments but sentiments; our response to

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53 Adle, p. 253.
the moral law rests as much on sentiment as it does on reason. To separate them, and to denigrate feeling, as Kant is obliged to do by the exigencies of his system, is to make a severance that can never be healed. To rephrase Kant's aphorism: springs of action without principles are blind; principles without springs of action are empty. 55

What is needed by Kant's purely formalistic morality is an underpinning of moral sentiment, which would impel one to accept the moral law. We must turn to Rousseau for this theory of sentiments. But in rejecting principles of reason as the sole foundation of morality, and interjecting moral sentiments into the discussion, it may be asked whether, in our madness to avoid the shoals, we shall not be lost at sea. Kant repeatedly warns that sentiment in morality leads only to bottomless subjectivism; it can never serve as part of the foundations of a moral system. Of course, in Lectures, Kant does admit conscience, but its function is judicial rather than legislative. To illustrate its significance, Kant provides for us a clever medieval morality play. The Prosecutor of the Heart, who accuses us of a violation of the moral law, must face the advocate, Self Love, who argues in our defense. The case is argued before Conscience, who either condemns or acquits us. But, Kant stresses, such legal proceedings would not be in order were there no objective Moral Law, which issues from

55A contemporary example of this severance of reason and sentiment is found in Singer's Generalization in Ethics (New York, 1961). Singer attempts to display the categorical imperative as a purely rational principle with legitimate use in ethical reasoning. But when he comes to explain why we should use it, he can offer no other reasons except prudence.
reason and not sentiment. "A good conscience demands a pure law." Conscience can only judge us for not acting in accordance with the law; it can never be a spring to action.

Hegel was also distressed by theories of moral feeling, the so-called 'law of the heart' which had gained so much prominence among his contemporaries. He claimed that if feeling were given full scope, there would be as many laws as there were hearts; we would be thrown into war of each against all by this consciousness gone crazy. "The heart throb for the welfare of mankind passes therefore into the rage of frantic self conceit."\(^{57}\)

To defend Rousseau from these accusations of unbridled subjectivism, we must attempt to understand his theory of natural sentiments. In this regard, Cassirer, who argues for the rational elements in Rousseau, remarks that popular opinion conceives of him as the innovator of a cult of feeling, in response to the one-sided rationalism of the philosophes. To dispel this prejudice, Cassirer emphasizes the strong rationalist strain in Rousseau; he does so, however, at the expense of feeling, particularly Rousseau's interest in the moral sense theories of Shaftesbury, Butler, and Hutchenson.\(^ {58}\) Rousseau's discussion of the Mandeville-Shaftesbury dispute shows indisputably that he is on the side of a natural sympathy in all men.\(^ {59}\) The basic theme of *Emile* is the cultivation of the moral sentiments. An even clearer indication of his lean-


\(^{57}\) *Hegel, Phenomenology of Mind*, p. 397.

\(^{58}\) Cassirer, pp. 100 ff.

\(^{59}\) *Inequality*, pp. 224 ff.
ings in this direction is his emulation in the *Nouvelle Héloïse* of Richardson's *Clarissa*, which, with *Pamela*, was said to initiate the literature of sensibility in England.

Cassirer, however, would have us believe that Rousseau had completely abandoned any notion of sympathetic feelings. "Rousseau—in opposition to the predominant opinion of the century—eliminated feeling from the foundations of ethics." This is a curious remark; to accept it, we would have to act as if the first fifty-six pages of Book IV of *Emile* did not exist; we would be obliged to ignore the statement which appears as a footnote in *Inequality*, as well as in other places, viz. that all humanity and virtue emerges from the primitive feelings of self-love and compassion.

Cassirer is concerned with the origins of society, and not with cultivation of moral sentiment in a single man. Thus, he has superficial grounds for his assertions, since Rousseau does contend that there are no primary instincts which compel men to enter society; of man is to accept the social order, he must be forced by fortuitous circumstances. The argument of *Emile*, however, is of a different character. Man in the hypothetical state of nature is amoral, but he does have within the seeds of morality, which can be developed by proper education. The foundation of this moral education is the cultivation of the natural feelings. This is not a denial of Cassirer's case for an ethics of obligation; certainly the first part of this paper could substantiate his claims. But

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60 Cassirer, p. 99.

61 *Inequality*, p. 223.
it is an accusation that Cassirer's interpretation is very one-sided. In order to render his position consistent, it does seem necessary to preclude whole passages from the discussion. In other words, Cassirer, in his passion to defend Edmund, would banish Edgar from court.

There is no lack of evidence that Rousseau accepted a theory of moral sentiments to serve as the springs to action. But he did not accept it in the form presented by Shaftesbury, viz. that disinterested benevolence and the moral sense are natural springs of action found in every man. There may be natural impulses of this nature, but for Rousseau they are rarely found in civilized men.

He is quick to admit the germs of such sentiments are present in inchoate form in the natural man, who is not perverse by nature. "The impulses of nature are always right, there is no original perversity in the human heart." But the natural springs to action have been stopped up by factitious passions inculcated by society. Like the statue of Glaucus, human nature has been disfigured by layers of prejudice and perversion acquired from social existence. In describing these natural feelings, Rousseau uses a very apt metaphor. The natural springs to action are pure mountain streams, which have become swollen into rampaging rivers and, in the case of Rousseau himself, have become lost in tumultuous seas. Borrowing a phrase from Butler, we may say that the eye of conscience (the moral sense) is not merely cloudy but opaque from the mirings of social existence. It is imperative, therefore,

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\[^{62}\text{Emile, p. 56.}\]
to separate the natural feelings from factitious passions. 63

"Amidst so many prejudices and factitious passions, one must know how to analyse properly the human heart, in order to disentangle the true feelings of nature."64

For Rousseau, evil is the product of social existence. This does not mean that the abstract man in the state of nature is morally good; being isolated from other men, he is neither good nor

Rousseau, following his peculiar habit, uses the same term in different senses, and different terms in the same sense. He claims the voice of conscience is a feeling; in other contexts, he calls it a divine instinct. He speaks of impulses of the heart, when he really means sentiment rather than a physical spring to action. The words 'sentiment' and 'passion' are not used consistently.

In order to dispel some of this confusion, it is necessary to standardize the vocabulary. The following designations will be used throughout this paper.

1. Feeling or Impulse: These are natural springs to action, i.e., inclinations arising instinctually from bodily causes. Certain sophisticated responses are present in this category, viz. self-love and compassion. In the natural man, self-love is merely the instinct for self-preservation; compassion is the instinct to enter into the suffering of others.

2. Passion: The word 'passion' is used in the Spinozistic sense. It refers to any emotion implanted in man by external forces such as society. Envy is an example.

3. Sentiment: The sentiments are emotions which have been cultivated from the natural impulses of self-love and compassion. It refers to emotions which are idealistic, rather than naturalistic; the sentiments therefore are what Rousseau means by the human heart. In this category are included self-esteem, generosity, justice, etc. Since these sentiments must be cultivated from natural impulses, it is clear than natural man can have no sentiments; his responses are limited to impulses. It is for this he is said to be amoral, while civilized man, who has at least the possibility of regulating his sentiments and controlling his impulses, is said to be moral or immoral.

4. Conscience or the Moral Sense: Although the responses of conscience seem to spring to consciousness as if they were spontaneous impulses, it is not properly speaking instinctual in the sense that self-preservation is instinctual. This is made clear by Rousseau's assertion that conscience is often silenced by the power of factitious passions; conscience regains its authority only after cultivation of the moral sentiments.
bad. But he does contain the seed of morality, which could flower into ethical life, were it not for the corrupt society into which he is unwittingly tossed. What must be done then is the preservation of the natural feelings, so that the channels of moral sentiment can again be opened. As Rousseau asserts, "to preserve or restore the natural feelings is our main business." 65

To restore the natural feelings we must overcome the prejudices and unnatural desires inculcated by society—this is clearly the work of reason. We must understand our culture, its madmesses and perversions, and seek to repress its deleterious effects on personality. We must grasp the true course of nature, and seek to bring human behavior in harmony with it. For Rousseau is adamant in his assertion that there can be no return to nature as such. Rather what is natural must be restored within existing society by the artifice of reason.

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Once fully developed, the responses of conscience have an immediacy similar to instinct, but its evaluations are in the form of immediate apprehension or intuition rather than primitive feeling. The immediate certainty of its response gives it the authority of an inner legislator which demands unquestioned supremacy over the springs of action.

Even the word intuition is not exactly what Rousseau may intend. In Confessions, Rousseau speaks of a sixth or moral sense, "with which few hearts are endowed and without which it is impossible for anyone to understand my own." (p. 566) What he seems to have in mind here is a sort of inner moral eye, whose intuition has the immediate certainty of vision. In order to designate this intuitive character, I have used the very inadequate word of 'sensing' for the responses of this "sixth or moral sense."

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64Confessions, p. 565.

65Emile, p. 353.
We can see, therefore, the peculiar addition Rousseau makes to the theory of moral sentiments while, at the same time, drawing heavily on rationalist elements. The restoration of conscience is contingent on the restraint of factitious passions which inflame our sensibilities. It is reason which must establish order among the passions, so that the conditions necessary for the cultivation of morality can be recovered. This explains why Rousseau can speak of both natural impulse and restraint as vital factors in the moral life.

In contrast with Cassirer, who stops at the rationalist argument, what is suggested here is that the Kantian element in Rousseau can be assimilated into a theory of moral sentiment. Restraint of the passions is necessary if we are to overcome the prejudices of factitious men; self-legislation is demanded if we are to return to the true course of nature. A doctrine of the autonomy of the will is demanded, if Rousseau is to reconcile restraint by reason with the materialist doctrines in vogue in eighteenth century France. But what Rousseau wants, particularly in *Emile*, is not to make self-legislation a means to act in accord with rules of reason. Rather, it would serve to restore conscience, that feeble inner voice which has been silenced by "the crowd of eager passions which cheat remorse." To restore conscience, the impediments to the moral sentiments must be removed and constantly held at bay. Thus reason must remain in perpetual alliance with conscience, acting as its guide, and also as its

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*Emile*, p. 246.
follower. Restraint and sentiment are never separate; they are inextricably mixed together, in such a way that Rousseau is indeed both rationalist and romantic.

In order to make Rousseau's position as clear as possible, we shall in the Kantian manner catalogue conceivable positions one could take on reason and sentiment in ethical theory.

I. Reason could be the sole foundation of morality. Precepts or rules ascertainable by reason alone are the source of all principles of morality. Kant's moral theory has already provided us with an excellent example.

II. Feeling alone could be the sole foundation of morality. The purest example is perhaps Aristippus, whose maxim was that the past is gone, the future uncertain and the present, an ever-fleeting movement toward uncertainty; hence, he concluded, grasping pleasure on the wing is the only precept man should follow, and intensity of pleasure the only criterion.

III. Reason and sentiment inextricably blended are the foundations of morality. If either is lacking, morality is impossible.

The third position breaks down into two sub-positions:

A. Sentiment is disciplined by reason for the sake of reason. In classical theory, for instance, a harmony is established among the passions, often by an alliance of the spirited element and reason. But the harmony is a rational harmony, and reason is sovereign.
B. Passion is disciplined by reason for the sake of the sentiments, i.e., reason restrains factitious passions and cultivates the moral sentiments. It is these sentiments which, enlightened and informed by reason, develop into conscience. This, I submit, is the position advocated by Rousseau in *Emile*.

In order to defend the assertion that Rousseau never separates reason and sentiment in his moral theory, it is necessary to examine *Emile* in detail. It must be remembered that there is no universal agreement on *Emile*. It is reported that Kant suspended his daily walks while he was reading it.\(^{67}\) On the other hand, Voltaire, with characteristic acerbity, called it a stupid romance.\(^{68}\) And Rousseau himself claimed, "if my book is a romance, the fault lies with those who deprave mankind."\(^{69}\)

*Emile* is a plan for an education according to nature, a thoroughly negative education. Emile is to be preserved, like some rare plant, from the cankerous influence of society. He is to be protected from all the vice and error characteristic or social education. The purpose of this isolation is to remove all impediments to "the natural growth of the human heart."\(^{70}\)

Until adolescence and the first stirrings of sexuality, Emile...

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\(^{69}\) *Emile*, p. 379.

is to receive no moral training whatsoever. The child lacks sufficient rational power to grasp moral conceptions; "before the age of reason, it is impossible to form any idea of moral beings or social relations." Rousseau's major concern at this stage is to inculcate a sense of necessity from physical events, in order to crush self-will and teach restraint of the passions. The child's experience is confined to tangible objects, in order that he may develop precision in reasoning about the physical world.

The moral education begins with the emergence of social awareness and religious consciousness. Rousseau's plan is to nurture the primitive feelings of self-love and compassion, which have remained uncorrupted if Emile's early isolation from society has been successful. Self-love, for Rousseau, is a sort of obscure Hobbesian instinct for self-preservation; it is an inherent primitive feeling, which is said to be the root of all moral sentiments. There is some confusion between Emile and Inequality as to whether or not compassion is a separate primitive feeling, or a derivate from self-love. This issue is of little practical importance, however. Even if compassion is derivate, it is the first sentiment which emerges from self-love. "So pity is born, the first relative sentiment which touches the human heart according to the order to nature." Both self-love and compassion are pre-reflective feelings which, given their inchoate state, are necessarily vague and ill defined.

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71 Emile, p. 53.
72 Ibid., p. 184.
Self-love is the fundamental feeling since it is the root of one's conception of personal worth, and the foundation of sentiments we must extend to other men. The great task in moral education is to so enlarge self-love that it becomes self-esteem, i.e., recognition of one's own intrinsic worth. No doubt, Rousseau, like Kant, finds much of the value of human personality in the capacity for self-determination; but we shall see that he places comparable emphasis on capacity for sentiment, i.e., the sentient rather than the rational character of men. In a distinctly autobiographical passage, Rousseau relates how he had sunk into a state of "moral death"; he valued neither his own person nor those of others. To arouse the moral sensibilities, the Savoyard priest attempted to restore Rousseau's self-esteem, without which recognition of the worth of others is impossible. Kant reiterates this same theme in Lectures: "nothing can be expected from a man who dishonours his own person. He who transgresses against himself loses his manliness and becomes incapable of doing his duty towards his fellows." Kant sums up this point of view in the phrase, "we must reverence humanity in our own person."  

Again we must be wary of the muddy water. By 'self-love', Rousseau sometimes means mere instinctual self-preservation; other times he uses 'self-respect' to designate the same thing. Here we use 'self-love' only in the first sense, saving the terms 'self-esteem' and 'selfishness' for the enlarged forms of self-love.

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73 Emile, p. 227.
74 Lectures, p. 118.
75 Ibid., p. 121.
From self-esteem is derived the notion of justice. "The first notion of justice springs not from what we owe others but from what is due to us." As one's self-esteem grows, one's recognition of the worth of others increases. But such recognition depends on compassion, that obscure but lively feeling in natural man, which must be enlarged by reflection. As a pre-reflective instinct, compassion is the capacity of the imagination to enter into, however inaccurately, the sentiments of others. Reason must serve to extend this capacity and lend accuracy to its functioning. As Rousseau points out, a man may go to the theatre and mourn imaginary miseries, thus believing he has filled all his duties to humanity. But such commiseration is specious. Reason must separate the artificial from the real, and govern our responses accordingly. It must enable us to perceive and evaluate circumstances with precision and clarity, for "the reality of the feelings depends to a great extent on the accuracy of the ideas." If principles without springs of action are empty, then springs of action, unenlightened by reason, are blind.

Reason effects the enlargement of compassion, through which the social values, e.g., generosity, clemency or humanity, are generated. To be generous we must understand frailty; to be humane, we must be able to grasp the abstract idea of humanity, or at least to recognize the essentials of humanity in the men we

77 Emile, p. 61.
79 Emile, p. 188.
encounter. In conflicts of sentiments, viz. clemency toward criminals opposed to justice, reason must be the arbiter. Indeed the very enlargement of self-love and compassion is dependent on reason, for we must regulate our sentiments toward others by comparing them to the conception of our own worth. And comparison invokes judgment. To see a fellow creature in every man we meet requires reflection and abstraction.

It should not be thought then that Rousseau had a facile notion that moral sentiments would emerge with ease and spontaneity. The original impulses are there, but they require much artifice on the part of the tutor to bring about fruition in the moral life. Rousseau may claim that he is merely removing impediments to the natural growth of the human heart; in truth, he creates situations in which sympathy may be elicited, and the conception of the essentials of humanity engendered. Emile must be exposed to suffering, for he cannot extend compassion to individuals in circumstances he cannot understand. Thus, Rousseau advises, "let him see calamities which overtake men; surprize and startle his imagination with the perils which lurk constantly in a man's path; let him see the pitfalls all about him." 

Emile must now be presented with human misery and depravity; he must be familiar with that mass of folly and contradiction, 

80 Emile, p. 215. 
81 Ibid., p. 232. 
82 Ibid., p. 186.
human institutions. This moment is crucial. Emile must compare himself with others, if his self-awareness is to develop. But the act of comparison is the origin of viciousness as well as virtue; selfishness emerges more readily than self-respect. Selfishness, warns Rousseau, is by its nature insatiable. The selfish man desires to gain recognition in the eyes of others, to be regarded as having greater worth than others. Thus he requires that others value him more than they value themselves. In this manner, selfishness generates angry and hateful passions, viz. envy, shame, vanity, covetousness, pride, etc. To thwart this tendency, Emile must be carefully disciplined. His exposure to human misery must not be so intense that he becomes callous or moribund, like the damned Sonderkommando; nor must his experience of justice be so direct that he becomes misanthropic; nor must his estimation of his own worth be so inordinate that he considers himself immune to suffering, for callousness springs as readily from prosperity as from brutality.

Emile, who is compelled to compare himself with other men, is thus quite different from the hypothetical natural man. As long as he remains in isolation, the natural man has no occasion for comparison; in this sense, he is said to be innocent. Although he has the seeds of moral life within himself, they could never germinate in the state of nature. It is only with incipient social life that these complex responses emerge. We have seen that the fruit can be ripe or sour, the organism crooked or straight,
all depending on the circumstances of its growth. Self-love, extended by comparison and moderated by compassion, could give rise to social virtues; or, lacking compassion and blown up into an inordinate conception of oneself, it could give rise to egoistic traits, envy, vanity, contempt, etc. The civilized man, whose inherent compassion is repressed by prudence or vanity, is more commonly disposed to selfishness. Thus only reason, by the machinations of a highly exclusive education, can recover the lost natural feelings. "Much art is required to prevent man in society from being altogether artificial."84

Conscience emerges from the perfection of the natural sentiments by reason. Hendel is doubtless correct in asserting, "Moral will has its foundation in the natural sentiments, which are not created by any external agency but are internal to man."85 Rousseau himself claims that the first impulses of the heart give rise to the stirrings of conscience;86 "the motive power of conscience is derived from the moral system formed through this twofold relation to himself and to his fellow men."87 If conscience is the fruition of the natural sentiments, then Rousseau's statements about the infallibility of conscience take on a different coloration; they must be seen in light of the education of the moral sentiments by reason. When Rousseau claims conscience is the best casuist, it must be understood that he is referring to

84 *Emile*, p. 282.
86 *Emile*, p. 196.
a type of response which is the product of elaborate cultivation. For conscience is an adequate judge only when it has been nurtured from the sentiments and enlightened by reason. Reason teaches us to know good and evil; "conscience, which makes us love the one and hate the other, though it is independent of reason, cannot develop without it." 88 Again, "goodness is only possible when enlightened by reason." 89

It should be clear then that Rousseau is exonerated from accusations of extreme subjectivism. He is not advocating a law of the heart, as Hegel understands it, nor is he promoting the rage of frantic self-conceit. Neither pure romantic or pure rationalist, he is both, in that his theory requires the interdependence of reason and sentiment. There is still a subjective element, however, for Rousseau does stress the primacy of the natural sentiments. Even though moral sentiment is highly cultivated and enlightened by reason, sentiment is the essential element in Rousseau's theory. Reason is an ally, at times even a governor, but always for the sake of the sentiments. The question remains: what are the grounds for the primacy of the specific natural feelings which Rousseau chooses to develop.

The reply again demonstrates the intertwining of reason and sentiment. Reason must not only hold us on the true course of nature; it must first discover what that true course is. In Inequality, Rousseau states that he is offering a hypothesis about the natural state of man, i.e., man before he is subjected to

88 *Emile*, p. 34.
the moulding influences of society. He presents three types of arguments: (1) analogy to savages, (2) analogy to beasts, (3) the stripping away of all acculturations, i.e., whatever can be conceived as social in origin, until only the purely natural remains. By means of the various arguments, he concludes that what is natural to men are the instincts of self-preservation, compassion and perfectibility, this last referring to a capacity for improvement—included in perfectibility is free will, the capacity for self-determination. Of these supposed natural impulses, the instinct of self-preservation and capacity for improvement are not difficult to accept. The first is evident, and the second is defensible by the diversity of human culture. What must be examined carefully, however, is the so-called innate compassion, since its function is vital in Rousseau's conception of the origin of morality. It might be added that what Rousseau is apparently trying to do is to combat a Hobbesian self-interest argument by slipping an instinctual compassion into the state of nature. Thus, it could be argued that to explain the present state of society, reason and self-interest are inadequate; one must also posit a primitive form of intersubjectivity which would allow feelings of compassion to moderate self-interest.

The analogy to savages must be rejected; it falls with the unilinear conception of historical development. The analogy to beasts, especially the sympathy they show to one another, is

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90 Inequality, p. 198.
91 Ibid., p. 200.
open to question; but there is some consolation in Rousseau's argument, in that he argues from higher primates rather than rats. His last argument, the stripping away of acculturations, is apparently his strongest. For, he observes, men without compassion would have been no better than monsters. If an inherent form of identification with one's species had not moderated the impulse of self-preservation, the preservation of the species would have been doubtful. Had men waited for the precise moment when self-love was restrained by calculated self-interest, men would have ceased to exist.

...the human race would long have ceased to be, had its preservation depended on the reasonings of the individuals composing it.92

In Emile, Rousseau presents seven more or less distinct arguments for conscience.93 Most of them refer to sentiments which could have been acquired by civilized life, yet apparently depend on an inherent capacity to enter into the sentiments of others. Rousseau also suggests that babies enter into an intersubjective world, even before they have capacity to reason; a very young child responds readily to the feelings of others, even though he has no conception of their significance. Rousseau even goes so far as to assert that the most brutal of criminals never loses entirely this primitive sense of compassion.94

92 Inequality, p. 227.
93 Emile, pp. 250-252.
94 Rudolf Hoess, Commandant of Auschwitz, confessed that he felt a "feeling of horror" at the first successful gassing of nine hundred soviet prisoners. It must be noted, however, that Hoess's horror was only momentary. Erich Kulka and Ota Kraus, Death Factory (Oxford, 1966), p. 125.
If then self-love and compassion are established as natural feelings, we can understand Rousseau's remark that our relations to other men are determined by recognition of their sentient, rather than their rational, character. It is these common impulses from which Rousseau would cultivate the recognition of the essentials of humanity. This may indeed be Karl Barth's point when he claims the human heart is the man himself; it is the full realization of one's existence, the worth of that existence and from this, recognition of a common existence.

What being here below, except for man, can observe others, measure, calculate, forecast their motions, their effects and unity, so to speak, the feeling of a common existence with that of his individual existence.

Summary: In raising objections to the lack of motive power in Kant's moral theory, we have presented an elaboration of Rousseau's theory of enlightened moral sentiment. We have seen that the moral sentiments, as distinct from factitious passions, are the springs of the acts of conscience.

The distinction between sentiments and passions resolves much of the contrariety in Rousseau's discussion of impulse and restraint; reason restrains only factitious passions, in order that natural springs of action may be purified. Reason must act as the educator and the governor of the moral sentiments, it must even discover the true course of nature which it seeks to restore.

95 *Inequality*, p. 194.
97 *Emile*, p. 240.
Thus, Rousseau in *Reveries* speaks of his reason and conscience as if they were always inseparable; sentiment, like a Spanish maiden, is always accompanied by her watchful duenna. This peculiar alliance of reason and sentiment allows Rousseau to unify the subjective and the rational elements of moral theory, yielding, as we shall see, a complex theory of natural law.

Rousseau has a more complex notion because of reason; we shall see how it must be innate in man. In some cases, it is false to say that the premises of natural law are based on reason alone; it it part of reason and more solid foundation. The law of nature, arising from self-love, is the source of human justice.

Rousseau argues, together with the law known by reason, the facility for the enlargement and expansion of self-love. With this, he must be seen as reason and modified by compassion, virtue, humanity, and vice. With characteristic disdain for autonomy, Rousseau presents three different virtues in *Social Contract* and *Inequality*. All, however, respect experience and the social virtues as the natural outcome of the primitive feelings. And all follow the same formula: from self-love we generate a conception of our own worth; by compassion, we extend this conception of worth to others. Thus, Rousseau elicits from the natural feelings a conception of morality which requires innate principle of humanity in terms of intersubjectivity.

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CHAPTER IV

NATURAL LAW AND NATURAL RIGHT

The second major difference between Kant and Rousseau to be examined here concerns the apprehension of the moral law. For Kant, the moral law is a principle grasped by reason alone, i.e., it is a purely formal principle known a priori. Rousseau has a more complex position regarding knowledge of the moral law; nevertheless, it, too, is said to be innate in man.

I conclude that it is false to say that the precepts of natural law are based on reason alone; they have a firmer and more solid foundation. The love of others, springing from self-love, is the source of human justice.99

Here Rousseau presents, together with the law known by reason, his familiar formula for the enlargement and expansion of self-love. Self-love, "guided in man by reason and modified by compassion, creates humanity and virtue."100 With characteristic disdain for consistency, Rousseau presents three different versions in Emile, Social Contract and Inequality. All, however, regard conscience and the social virtues as the natural outcome of the primitive feelings. And all follow the same formula: from self-love we generate a conception of our own worth; by compassion, we extend this conception of worth to others. Thus, Rousseau elicits from the natural feelings a conception of morality which re-states Kant's principle of humanity in terms of intersubjectivity.

99Emile, p. 197.
100Inequality, p. 223.
It provides the underpinning of moral force which is lost by Kant's deduction of the principle from the *a priori* moral law. For, while Kant would have us follow the law from a sense of duty, Rousseau attempts to find an echo of the law in the sentiments; what reason knows to be good, conscience senses to be good. Again reason and sentiment are united.\(^1\)

Rousseau, developing his theory of the emergence of conscience from the natural impulses, attempts to erect it as a theory of natural right. "Every duty of natural law, which man's injustice had almost effaced from my heart, is engraven there."\(^2\) In Inequality, he rejects the notion of an innate sociality, and asserts that from self-love and compassion "all the rules of natural right appear to me to be derived."\(^3\) What Rousseau seems to have in mind is a concept of natural right similar to Hobbes, i.e., right derived from the natural impulses of men. This right echoes the natural law revealed to reason; in other words, conscience senses it to be right, while reason knows it to be so. So far, all of this is consistent with what has been suggested about the interdependence of reason and sentiment.

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\(^1\) In fairness to Kant, it must be acknowledged that the rigorous insistence on moral law and the purity of duty is not as prevalent in Lectures. In this earlier work, his emphasis lies clearly on the worth of humanity, not on the recognition that they are representatives of the moral law. His distinction of persons and things, in discussing humanity as an end in itself, implies a recognition of the inherent value of the human personality. (Lectures, pp. 120-121)

\(^2\) *Smile*, p. 255.

\(^3\) *Inequality*, p. 193.
What is confusing about Rousseau's theory of natural right is his attempt to weld it to the voice of God. Natural impulses indeed may contain the seed of moral sentiments, which may correspond to our conceptions of justice and virtue. But on what grounds could we assert that such instincts, even when they are fully developed, are divine instincts? In regard to primitive compassion, there are at least grounds for reasonable conviction, but this conviction establishes only the need for a nascent inter-subjectivity, not a divine origin of morality. At times, he intimates there is a divine order, in which virtue will be rewarded; at other times, he suggests that moral feelings must be reinforced by religious convictions. Hendel takes the second alternative; for Rousseau human morality without religion is insufficient to meet the demands of life on men. Whether faith bolsters morality, or morality faith is, however, a difficult problem in Rousseau. That is to say, it is difficult to judge whether Rousseau thought that morality was founded on religion, in the sense that conscience is a divine inner voice, or whether it is merely reinforced by religious convictions.

Whatever position one takes on the relation of religion to morality in Rousseau, it is clear that his insistence on inter-subjectivity is not vitiated. A theory of moral sentiments requires a sense of the essentials of humanity, i.e., a realm of subjective experience common to all men. This awareness of common existence, emerging from my own self-esteem, is easily bru-

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104 Hendel, p. 328.
talized by prejudice, prosperity or harsh treatment. But given the delicate conditions for its emergence, it does indeed become a moral sense. It is these moral sentiments, no longer obscured by vanity or illusion, which break out on Lear:

Poor naked wretches, whereso'er you are, That bide the pelting of this pitiless storm, How shall your houseless heads and unfed sides, Your looped and windowed raggedness, defend you From season such as these? O I have ta'en Too little care of this! Take physic, pomp: Expose thyself to feel what wretches feel...

Summary: For Rousseau, reason and conscience are united in the apprehension of natural law. What reason knows to be right, conscience senses to be right. This emphasis on the subjective element in the apprehension of the moral law yields a conception similar to the theories of natural right. In considering the general will, therefore, it will be seen that conscience has the right of consent; it can give or withhold approval of the general will as the supreme principle of legislation. Its acceptance of the general will implies that the general will is a moral as well as a political principle.

Conscience is derived from the moral sentiments, which are in turn nurtured from self-love and compassion. Conscience thus requires an implicit intersubjectivity in men if it is to recognize the worth of others, and to acknowledge the essentials of humanity. This recognition of the humanity of other men is sensed subjectively, in contrast to Kant's deduction of the humanity principle from purely rational principles.

CHAPTER V

THE GENERAL WILL

Before proceeding to the political writings, acknowledgment must be made of their controversial history of interpretation. Rousseau has been called arch individualist, collectivist, revolutionist; attempts have been made to associate and disassociate him with the French Revolution; he has been thought to be the enemy of ancien régime, while others have pointed out his similarity to Burke. Much of the discrepancy stems from Rousseau's position as a transition figure, much stems from the carelessness or the bias of his interpreters.

Of modern interpretations, three seem to be dominant. One version regards Rousseau's writings as the final flowering of the contract theory of Locke and Hobbes; emphasis is placed on the notions of the state of nature and the social contract. Another version stresses the influence of Montesquieu and traditionalism; Cobban and Osborn, e.g., seek to sharpen Rousseau's similarity to Burke, by stressing the practical writings on Poland, Geneva and Corsica. Still a third interpretation emphasizes the movement from Rousseau to German Idealism; greatest weight is placed on the concept of the general will and Rousseau's theory of consent, which requires self-legislation. It is this last tendency that we shall continue to examine here, particularly the

108 Alfred Cobban, Rousseau and the Modern State (London, 1934), Ch. II.
relation of the general will to the categorical imperative. But it must be acknowledged that focusing attention on the Kantian elements is somewhat arbitrary, and is only justified by the necessity of holding discussion within reasonable limits. While the question of divergent tendencies must necessarily fall into the background, it must not be forgotten that movement toward critical and idealist philosophy is only one of the tendencies of Rousseau's political writing.

The attempt of Rousseau to pose a political solution to the question of morality brings us to the last difference between Kant and Rousseau. For Kant, the supreme principle of morality, the categorical imperative, has universal scope; the general will, on the other hand, is restricted to small political associations, viz. the city-state. Kant contends that all men ought to follow the imperative from a sense of duty; Rousseau is sceptical of self-imposed restraint among all men, unless it is enforced by the authority of the community. Even within a homogeneous community, it will be necessary to force some men to comply with the law, in order that "the social compact may not be an empty formula."109

Kant rigorously maintains that in all circumstances one should follow the categorical imperative. But if there were no legal guarantees that anyone else would follow, one would have to be a fool or a saint to persevere in the Kantian ethic while the rest of mankind remained impervious. (At least, one would be obliged to live a life of quietism in Koenigsberg.) As Rousseau aptly

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says, it would "make for the good of the wicked and the undoing of the just."110 The only way the categorical imperative could serve as a reasonable guide to conduct is within a political context. What one man wills, all men in that community must will, in the form of some common good desired by all citizens. To insure that every man will feel obliged to comply with the general will and not be estranged by private interests, the general will must receive the authority of law. That is, from the general will must emanate law, armed with adequate sanctions to subdue any turning away from the general interest.

No doubt Kant intended the categorical imperative as an ideal, something men ought to strive for, but can never obtain in this life. Certainly Kant's postulation of immortality in order to achieve holiness of will indicates his awareness of the rigors of living for the sake of the law. However meritorious this ideal may or may not be, it is clear that even Kant saw its limitations in governing human action.

Kant, of course, does not deny the law; his conception of morality rests on the ideal of a well-regulated republican state.111 But his distinction of morality and jurisprudence illustrates that he felt the highest good can never be a matter of law; the good will rests wholly on intentions, while the law of the state can only be concerned with consequences.112

110Social Contract, p. 34.
112Kant, Lectures, p. 73.
on the other hand, attempts to make the universalization principle the source of the law of the state. His ethic therefore is essentially a matter of consequences. "Virtue is nothing more than the conformity of the particular wills to the general will."^113

Emphasis on compliance does not, of course, vitiate the pure intention of the citizen who freely wills what the law demands. Indeed, if law is to have the sanction of right, it must rest on the free consent of all of the citizens.

Making the universalization principle a political, as well as a moral principle, and stressing compliance with the law over intention, has peculiar ramifications for Rousseau's ethical theory. Superficially, it would seem that he had abandoned all his ideas about private morality based on the cultivation of the natural feelings. Of course, Rousseau had claimed earlier that law only restrains men without altering them.\(^114\) The general trend of his writing, however, contradicts this statement. In *Political Economy*, for example, he asserts, "It is certain that all peoples become what government makes them."\(^115\) In a famous passage in *Confessions* he repeats the same assertion; a people can only be as good as their laws.\(^116\) The lawgiver in the *Social Contract* must be prepared to change human nature. Some men must be forced into compliance, but those who have freely renounced the

\(^{113}\)Rousseau, *Political Economy*, p. 298.

\(^{114}\)Inequality, p. 263.

\(^{115}\)Political Economy, p. 297.

\(^{116}\)Confessions, p. 417.
anarchy of the passions and have accepted laws emanating from the
general will, have achieved moral freedom. Thus the great gift
of civilized life under universal laws is the moral life, in which
natural liberty is exchanged for a higher freedom. The good man
for Rousseau is the good citizen; "it is not only upright men who
know how to administer the laws; but at bottom only good men know
how to obey them." 117

Even though Rousseau stresses civic virtue over private morality, he still retains all the mechanics of Kantian morality, i.e.,
autonomy of the will, self-legislation in accordance with universal laws, universalization principle, etc. The difference, however, is that the source of obligation is no longer the a priori moral law, but society itself, viz. the particular community sustained by the general will.

If this is the case, then Rousseau has offered two possible approaches to the problem of morality, both intimately related to the mechanics of Kant's theory. Either cultivate the moral sentiments in a single man, or seek the imposition of good laws on all men. Ideally the unity of good men and good laws is to be sought, although its realization is unlikely. In Emile, for example, the moral disposition is highly cultivated, but Emile must exist in a period when human institutions are a mass of folly and contradiction; the general will, except in men of refined moral sensibility, has fallen mute. On the other hand, the general will is dominant in the Social Contract, but not all men have

117 Political Economy, p. 299.
From these remarks, one may conclude that the hypothetical natural man can be turned either way; he can become a man of conscience or a good citizen. The perfect situation would be, no doubt, a man who was a good citizen because he was a man of conscience.

If then Rousseau is advocating this solution, is there not ample evidence that he thought positive law, generated by the general will, replaces natural law in the state? In the first pages of the Social Contract, he clearly rejects natural right: "The social order is a sacred right which is the basis of all rights...this right does not come from nature, and must therefore be founded on conventions." He also says, quite unambiguously, that the citizen has renounced all rights upon entering the contract: he requires "the total alienation of each associate, together with all his rights to the whole community." Cobban is quick to pick up this theme. "Once the state has been founded, natural rights cease to function: there is no room for a Declaration of the Rights of Man in Rousseau's state."

118 Karl Löwith's characterization of this conflict as being between the citizen of the city-state and the spiritually free man of the Christian tradition appears to be an insightful characterization of Rousseau's distinction. Löwith, From Hegel to Nietzsche (New York, 1964), p. 236.
119 Social Contract, p. 4.
120 Ibid., p. 14. Rousseau, of course, does not reject the right of consent, which is implicit in the functioning of the general will.
121 Cobban, p. 116.
heim also argues that the state is not natural, having no basis whatsoever in the hypothetical nature of man. The interdependence of society is wholly incompatible with natural independence. Rather than preserve natural rights, the purpose of the state is to alter the nature of man.

On the other hand, there is a counter argument of the interpretation just stated; it maintains there is some continuity between state and nature. The distinction between man and citizen, according to this position, is not absolute; it can be mitigated by an argument from the moral sentiments. G. D. H. Cole asserts that the general will is sanctioned by conscience, while Osborn would see the innate principles of justice reflected in the moral person of the state. These arguments are rooted in the claim by Rousseau that the general will is an admirable agreement of interest and justice.

In considering these differences, an attempt will be made here to defend the second thesis, in light of the preceding discussion of conscience, and the interpenetration of reason and sentiment. In other words, an attempt will be made to at least mitigate Cobban's statement that natural rights cease to function in the positive state. What must be developed therefore is the assertion that the general will is just. But before this can be done, the case for pure interest must be presented.

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It could be argued that the general will rests solely on an awareness of shared interests. When individual men will what is in the common good, their disparate wills merge into a collective will, which embodies the interests of the state as a whole. By this interpretation, restraint would serve to suppress blind desire, and self-determination would permit pursuit of the general interest which, reason informs us, is in one's own self-interest. But if interest is the sole motive of the citizen, cogent questions about the nature of civic virtue arise. For if this interpretation is correct, has not Rousseau reduced moral freedom to some form of utilitarianism?

In reply, it must be emphasized that Rousseau never felt he was separating justice from interest. His expressed aim in the Social Contract is to "unite what right sanctions with what is prescribed by interest, in order that justice and utility may in no case be divided." Man's first impulse may be self-preservation, but it must not be forgotten that the first relative sentiment is compassion. If interest is the first motive for compliance with the general will, is there not some suggestion that a form of primitive justice is the second motive? Rousseau, it is suggested, does indeed carry over into the positive state a crude sense of justice, which emerges from the moral sentiments. That is to say, built into the general will is a primitive natural justice, arising from the recognition of our own worth, and the

125 Social Contract, p. 3.
extension of that conception of worth to others.

To make this assertion as strong as possible, it may be helpful to present it in light of Kantian principles. The relation between the general will and the categorical imperative has already been demonstrated. Insofar as I will for myself what I will for all men in my community, I am in a sense universalizing my maxim. This justice, however crude, is apparent to reason; no doubt Kant and Rousseau would defend it on strictly rational grounds. But it was argued earlier that Rousseau never separates reason and sentiment in his treatment of moral principles. For reason may assent to an equitable balance of interest and justice, yet be unable to compel the man as a whole to accept it. Reason may recognize the good, but does not love it; conscience must come into play here. There must be a subjective (or better, intersubjective) element if the general will is to have a spring to action other than interest. If interest were the only impulse, the admirable agreement between justice and interest would be weakened; the citizen would be calculating, but would not be a good man capable of obeying good laws.126

In addition to interest, another subjective element is supplied; it is found in Kant's principle of humanity and Rousseau's formula for the expansion of self-esteem. Insofar as the categorical imperative and the principle of humanity are two sides of the same coin, there are grounds for asserting a similar relation be-

126 Cf. footnote 117.
tween the general will and the moral sentiments. The difference, of course, is that Kant deduces the principle of humanity from the a priori moral law, while Rousseau finds the seeds of it in the natural feelings. Thus the relation between the general will and moral sentiment is not a matter of neat logical deduction as Kant would have it; rather, it rests on Rousseau's refusal to separate reason and sentiment. My reason affirms the justice of the general will; my primitive sense of natural justice impels me to accept it on subjective grounds. Thus reason and sentiment unite in providing both the principle of justice and the subjective springs to action.

To defend this assertion, we must only consult the Social Contract itself. "The equality of rights and the idea of justice which such equality creates originate in the preference each man gives to himself, and accordingly in the very nature of man.‖ Rousseau again reiterates this formula for the expansion of self-love, now as a defense for the claim that the general will is always right. Justice is built into the mechanics of the general will; each man submits himself to conditions he imposes on other men, and since no man is unjust to himself, no man is unjust to others.

In Emile, Rousseau develops this interplay of interest and justice: "the more general...interest becomes, the juster it is; and the love of the human race is nothing but the love of justice

127 Social Contract, p. 29.

128 Ibid., p. 36.
within us. Again the vital link between justice and generalized interest is made, and again both reason and the subjective sense of justice are called upon for approbation. The general will does not merely rest on the abstract impersonality of universal laws; it also refers directly to the primitive sense of justice inherent in all men. Emile must learn the twofold distinction of interest and justice. As a boy, he is taught to see that his own interests lie in the common interest. This is an undeniable consequence of the division of labor. Later, he is abjured to fulfill his obligations even when the general will has fallen mute; the laws help him to rule himself; "they give him courage to be just, even in the midst of the wicked."

In light of these preceding remarks, it must be concluded that when Rousseau claims the general will is just, he means just in the sense of natural justice. When he claims that the general will constitutes the rule of what is just and unjust, he does not mean that it creates justice but that it reflects justice. Unless this assumption is made, it could be asked what conceivable meaning the word 'just' has in the phrase "the most general will is always the most just." To say that the general will is just because it accords with the laws it has created is clearly reasoning in a circle. Similarly when Rousseau says that he has achieved

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129 Emile, p. 215.
130 Ibid., p. 156.
131 Ibid., p. 437.
132 Political Economy, p. 291.
an admirable agreement of justice and utility, he cannot mean 'justice' in any positive sense, without becoming entangled in this difficulty. Justice can only refer to natural justice, a conception of natural law, acknowledged by reason, and echoed in the conscience.

If what has been asserted is correct, it is only reasonable that the friends of interest should demand some explanation for the many remarks which blatantly deny the penetration of moral sentiments and natural right into the conception of the state. One possible reconciliation is to interpret these passages as a denial that any citizen has a natural right claim against the state. Some men may indeed be concerned with the rights of others, but it is more probable that the selfish claims against the state would predominate. Justice is only one aspect of natural right, while self-preservation is the root feeling, and the source of all others. And self-preservation provides a strong argument against conscription; the danger of falling into Hobbes' predicament is very great here. Thus, Rousseau may have been willing to sacrifice traditional natural right since he was able to build the formula for the expansion of self-love into the mechanics of the general will. As long as the moral sentiments, particularly

133 Cf. footnotes 119, 120, 36. In regard to footnote 133, Rousseau's discussion of the impossibility of preserving natural sentiments in social life is in the context of remarks on the independence of natural man in contrast with the dependence of social man. What he appears to be saying is simply that natural liberty cannot be preserved in the social state. Certainly he could not be claiming that the social virtues cultivated in Emile are incompatible with the civic virtue of the Social Contract. Emile's self-sufficiency, however, would be inadmissible in the ideal republic.
justice, are reflected in the general will, and as long as the right of consent allows full scope to conscience, Rousseau could easily dispense with the notion of natural right as inviolable claims against the state.

Unless a reconciliation along these lines is accepted, it must be asserted that Rousseau is flatly contradictory. For he evidently does not want to allow any natural right claims against the state, yet he clearly asserts that there are "most certain and universal rules by which we can judge whether a government is good or bad..." Lest we become David Humes, we must acquiesce to the statement that the general will incorporates these most certain and universal rules.

If there are difficult passages to accommodate by an interpretation based on natural justice, it is only fair to point out that there are passages which are most confusing on the interest thesis. For example, how is one able to explain incomparably opaque remarks: "the general will is always the most just...and...the voice of the people is in fact the voice of God." What relation does the general will have to the voice of God, particularly if the general will merely reflects the general interest? On the other hand, if we assume that the general will incorporates a primitive justice culled from reason and the natural feelings, and if we assume that conscience, the perfection of the moral sentiments, is indeed a divine instinct, then the connection

134 Political Economy, p. 290.
135 Ibid., p. 291.
between the general will and the voice of God is not quite so obscure. That is, the general will reflects the principles of justice engraven on every human heart; it objectively expresses the dictates of conscience, the voice of God.

If the preceding statements are correct, it becomes a simple matter to show how the mechanics of the general will mesh with Rousseau's formula for the expansion and extension of self-esteem. Self-esteem is extended to other men by compassion, but civilized man has learned to moderate his natural sympathy by prudence or brutality. Compassion lost, "when applied to societies, almost all the influence it had over individuals, and survived no longer except in some cosmopolitan spirits." The general will, as the source of laws armed with sanctions, must compensate for the weaknesses evident in the natural feelings. Whereas compassion restrained man in the state of nature, its function must be performed by law in the civilized state, i.e., law must compel adherence to the social virtues. Virtue as described in Emile, however, can still operate within a legal framework. Certain men will by nature extend their self-esteem to others; these are the good men who know how to obey good laws. Other men must learn civic virtue; they must be taught to recognize what right sanctions and perceive, by reason and conscience, the justice inherent in good laws. Still others will only comply through vainglory, self-interest or compulsion.

We are not obliged, therefore, to accept Cobbán's judgment:

136 Political Economy, p. 252.
"Rousseau is at one with his contemporaries in the acceptance of the principle of utility." By building a conception of natural justice into the general will, Rousseau can offer moral justifications for obeying laws emanating from it. Both civic virtue and compassion are rooted ultimately in principles of virtue found in the heart and mind of man. Thus obedience to good laws is not the mere following of rational calculations of the general interest. Rather, the very act of universalizing requires the principle of natural justice found in both reason and sentiment. Interest may at first motivate compliance, but eventually justice must dominate, if the good men mentioned above will indeed know how to obey good laws. Not only interest, but also perception of the intrinsic rightness of the laws, must be their principle and their spring to action.

**Summary:** While Kant regarded the universalization principle as a principle of morality, Rousseau thought of it as a political as well as a moral principle. This emphasis by Rousseau on the need of a political setting suggests that he thought practice of the social virtues would cultivate in men the disposition to obey laws without being compelled by force. That is to say, obedience to good laws, even when forced, is a form of moral training, somewhat comparable to the sentimental education in *Emile*. Kant does speak of the cultivation of moral sentiments in *Lectures*, but in his formal system he completely neglects the nurturing of a pure moral disposition. Since he does insist on the need for a form of moral education. For in complying with the general will, we...
of government in which morality can prosper, it is not inconceivable that he would accept the notion that obedience to good laws could create good men. On the other hand, his insistence on the purity of the motive in a moral act led him to conclude that positive law can only require external compliance, while morality was concerned essentially with the purity of intention.

In regard to natural right, it is claimed that a form of natural justice is built into the general will, in the sense that justice is required by the act of universalization. Any man whose self-esteem is fully developed will be just to himself; the mechanics of the general will require him to be just to others.

Kant's principles of universalization and humanity parallel Rousseau's general will and the formula for the extension of self-esteem. While Kant understands both as principles of reason, Rousseau sees the necessity for an alliance between reason and sentiment. Thus, the general will provides the objective moment; the formula for the extension of self-esteem into the moral sentiments, the subjective moment.

It is submitted then that the general will is a moral as well as a political principle, in that it echoes the principle of justice inherent in every man. Insofar as justice is a subjective reflection of divine moral law, Rousseau's contention, its reflection in the general will implies an element of natural law built into the mechanics of universalization. It is for this reason that obeying the laws emanating from the general will is a form of moral education. For in complying with the general will, we
are following inherent principles of justice, known objectively by reason, and sensed subjectively by conscience.

**DYNAMICS OF THE ACT OF UNIVERSALIZING**

**Kant**

Principles of Reason

- **Principle of Humanity** (self-esteem, esteem of others)
- **Categorical Imperative** → Interest not permitted (universalizable maxims must apply to all men)

**Formulæ for Expansion**

- **Formula for Expansion of Self-Interest** (self-love & compassion)
- **General Will** → Interest is motive, as well as what is just for all men of my community

**Origin in Nature**

- Feelings, passion in conscience

**Principle of Reason and Conscience are never separated**

**Rousseau**
DYNAMICS OF THE ACT OF UNIVERSALIZING

Kant

Principles of Reason

Principle of Humanity (self-esteem, esteem of others)

Categorical Imperative (universalize maxim, must apply to all men)

Interest not permitted

Formula for Expansion

General Will (what is just for me is just for all men of my community)

Interest is motive, as well as Justice

Origin in natural feelings; fruition in Conscience

Reason and Conscience are never separated

Rousseau

Reason and Conscience are never separated
The problem of impulse and restraint has been the root of many divergent interpretations of Rousseau. Emphasizing impulse has caused many commentators to stress moral sentimentalism; others, emphasizing restraint, have tended to find elements of ethical rationalism. Both elements, of course, are present in Rousseau. At times he tells us to follow the heart; at other times, he claims morality is only possible through the restraint of the passions. In dealing with these apparently contradictory conceptions, commentators have tended to accept one and banish the other. What has been attempted here is a reconciliation between them.

To resolve the difficulty, a theory of enlightened moral sentiment has been presented, in which both impulse and restraint are necessary. A comparison with Kant revealed that autonomy of the will and self-legislation are elements of Rousseau's moral theory. But restraint and self-determination serve not to supress all impulses; rather, Rousseau would select among the natural feelings those impulses which could be nurtured into moral sentiments. Kant, on the other hand, is required by his conception of freedom to reject all impulses whatsoever. For this reason, he cannot supply subjective motives for complying with the moral law. Rousseau is not hindered by a conception of freedom which rests on the noumena-phenomena distinction. He accepts freedom as a given of consciousness; it is evidenced by the power one has to restrain and
educate feelings and passions.

Restraint is necessary if one is to conquer factitious passions and unnatural desires inculcated by social evils. These inflamed passions must be suppressed if the natural springs to action are to be purified. Once order is imposed by reason on the passions, Rousseau would nurture the natural impulses of self-love and compassion into an acquired disposition, in which the moral sentiments, viz. clemency, justice, generosity, etc., are the dominant motives. From these refined sentiments, Rousseau would cultivate conscience, the so-called inner moral eye. Thus, in contrast to Kant's pure will, which conquers all impulses and follows the moral law from duty alone, Rousseau would carefully cultivate a disposition which would incline one to obey the moral law.

When Rousseau advocates the law of the heart, he is therefore speaking of a highly cultivated moral sensibility, which is disciplined and informed by reason. Reason and sentiment work in close alliance; if either is neglected, subjectivism or an empty formalism emerges. He certainly does not advocate the licensing of impulse and passion in men who have undergone a thorough training of the moral sentiments. To grant license to blind impulse and unbridled passion would be to unloose a "heart of darkness" of the world; it would engender all those disorders Conrad so greatly feared.

The natural impulses, self-love and compassion, must be enlarged and extended so that they flower into the moral sentiments. From self-love, one generates a conception of his intrinsic worth;
by compassion, one extends this conception of worth to others. Rousseau often presents this idea by means of a formula: self-love, guided by reason and modified by compassion, creates humanity and virtue. This formula for the enlargement and extension of self-love restates in terms of intersubjectivity the Kantian principle of humanity. Since Rousseau's formula is derived ultimately from certain natural impulses, it retains the motive force which is lost in Kant's deduction of the principle of humanity from purely formal principles of reason.

Rousseau accepts the notion of a natural law issuing from reason alone, and adds to it a conception of natural right derived from conscience, once conscience has matured through the cultivation of self-love and compassion. In the apprehension of natural law and natural right, reason and conscience are united; what reason conceives to be right, conscience senses to be right. There is here, no doubt, a similarity between conscience and what Kant means by respect, in that both acknowledge the rightness of certain principles of reason. The difference between conscience and respect, however, rests on Kant's denial of impulse. That is, for Kant, respect is generated by a sheerly intellectual apprehension of the moral law. Rousseau would deny that any purely rational law could generate moral sentiments. Rather he would claim that we are disposed to obey an objective moral law because that law reflects moral sentiments which are found in the moral conscience. To know the good is not to love the good; the disposition to respond to the moral law must be implicit in all men, and actual in
the man of cultivated moral sensibility.

If conscience is the basis of natural right, in that it senses the rightness of principles of natural law, it should have the right to judge the positive law emanating from the general will. If Rousseau is correct in asserting the general will is a principle of justice, then conscience has the right to judge the laws issuing from it. Thus reason and conscience must be united in their approbation of the element of natural justice built into the general will.

The interdependence of reason and conscience, and the ramifications of this alliance of natural right and the general will, derive ultimately from the presence of both impulse and restraint in Rousseau's moral theory. They must not therefore be regarded as the sources of two contradictory tendencies in Rousseau's writings, but rather as necessary elements in a theory of enlightened moral sentiment.
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