

Part 14: Book 3, Chapters 12-15

Book 3, Chapter 12: How the Sovereign Authority Maintains Itself

Sovereign only acts by laws; laws are solely acts of general will; Sovereign can only act when people are assembled.

Odd that Rousseau abandons his own concept of [the Legislator](#) in favor of what appears to be a pure democratic, unlimited State when he backs himself into a corner. Of course, such a structure is still likely to create permanent minorities that are forever latched onto the State that once served them.

And those permanent minorities are likely to be a constant source of instability because they have no way to separate themselves from a [parasitic](#) or [toxic](#) State.

That it seems difficult to assemble the whole people is not an excuse to avoid it. The Roman Republic managed it once a week at least, with more than four million citizens (not just 4M people).

It's very strange for someone like Rousseau, who proclaims the evil and destructiveness of all institutions, aiming for those institutions to become a greater time sink for the people who suffer under them.

The alternative would be to allow people to focus on the interactions and relationships that serve their purposes best, and that means [voluntary association](#), not forced assemblies every Thursday or whatever.

It has been done by the Macedonians and Frankish governments, too. Therefore, it remains possible today.

But should it have been? That's the real question. [Mobs](#) have the potential to be just as tyrannical as runaway governments, and even though Rousseau has presented the *ideal* of law as being general, there's nothing to prevent the people assembled from arranging a falsely general law, i.e. one that is written in such a way as to avoid naming names, but actually is designed to target an individual or a small group.

Rousseau is assuming that assemblies are what made these governments good, or powerful, or whatever positive aspect he's attributing to them. Therefore the problem today is that there aren't enough assemblies, which is why governments today are bad. If it's not circular reasoning, it's dangerously close.

Book 3, Chapter 13: The Same (part 2 -ed.)

Simply setting up a government that is designed to fill its own vacancies is not enough. There must be periodic assemblies of the whole people that are set by some unalterable measure of time, or else people would be lazy and forget them, or government would try to stop them.

This sounds a little like Jefferson's idea that the length of validity of a Constitution should be limited to something less than a generation. Rousseau is almost certainly talking about a much shorter time-frame. The problem is that this is no promotion that these periodic assemblies won't be just as tyrannical as the government.

The problems of permanent minorities remain, and might even be made worse by constant mob assemblies, as the hot issue of the day might result in even worse decisions.

Yes, it would be great if these massive assemblies didn't devolve into mob rule, but, to quote a certain [TV show character](#), "If wishes were horses, we'd all be eating steak."

The stronger the government the more often should the people assemble.

To make things even more unpredictable...

This is doubly weird because Rousseau hasn't really explained what "strong" means when talking about government. He's already explained that the State is/should be all-powerful. If that's the case, then what's the difference between them?

It is unnatural for the Sovereign authority to extend beyond one town, and makes for bad government, but people often wish to make such unions anyway.

Okay, here Rousseau admits that his framework operates best on single-town governments. This is sensible, since the sheer practical difficulties of efficiently operating a meeting between millions of people, some of which are thousands of miles away from each other is a daunting one, even today.

Rousseau could have said here that governments ought to be limited to small territories, and gone on to explain the negative incentives of large governments. Instead he provides an out for governments that have no desire to pay attention to their faraway provinces. And since the Sovereign cannot be wrong, it justifies all kinds of awful treatment of those faraway provinces.

As a middle ground, it is best to avoid building up one town in the country as a capital. Move the seat of government around and assemble in different provinces in turn.

This makes some sense, but seems like it would also result in a much greater overall financial burden on the people, and would likely result in multiple large, permanent [bureaucracies](#) instead of one. Why doesn't Rousseau talk about how things should be done depending on the scale of the country in question, or its population? He's used that axis for everything else so far. It's weird that he seems to completely abandon it, but I'm long past expecting him to be consistent.

"People the territory evenly, extend everywhere the same rights, bear to every place in it abundance and life... the walls of towns are built of the ruins of the houses of the countryside. For every palace I see raised in the capital, my mind's eye sees a whole country made desolate."

This implies a massive re-distributive effort to move wealth from places where it would naturally be produced, to spend it on upgrading land that is submarginal. This just underlines another major problem with economic interventionism: obviously this redistribution is going to impoverish some and pay out to others. Naturally, these bad incentives will lead to reduced productivity.

Yet Rousseau persists in demanding the State have unlimited power to shape economic relations in its territory. Why would anyone join such a system? And if no reasonable person would join such a system except when they believe they will profit from such an association, what authority can any of them actually have, especially over those who perceive themselves on the losing side of the bargain?

Book 3, Chapter 14: The Same (part 3 -ed.)

When the people assemble, the power of the government is temporarily suspended because its superior is in session, and may decide to alter the laws or the organization of government.

This makes sense on some level, but seems to go against Rousseau's earlier idea of the Legislator. If he was going to throw that idea away in favor of periodic unlimited democracy, why introduce it in the first place?

However, governments don't like losing their power, even temporarily, so they usually try to avoid assemblies of the people. The more "greedy, cowardly, and pusillanimous" the people are, the easier it is to convince them to avoid meeting.

And what better way to make the people greedy, cowardly, and pusillanimous than to pit them against each other by way of extensive economic intervention? Turn a positive-sum game (voluntary exchange) into a negative-sum game (bureaucratic micromanagement), and you'll get a lot more greed, cowardice, and corruption.

A State can also make its population less eager to assemble by skimming so much of their wealth that they need to work constantly in order to maintain their living standards. Then, they feel pressure to not assemble because they need to be working.

When the people are convinced to stop convening, that dissolves the Sovereign authority.

But not the wealth and power of the government agents. On what time scale? Does it depend on population, territory, what?

Between Sovereign authority and arbitrary government there is a "mean power of which something must be said..." next chapter.

The next chapter is called "Deputies or Representatives" and is railing against the system of representative democracy, compared to direct democracy.

Book 3, Chapter 15: Deputies or Representatives

Public service should be the "chief business of the citizens." As they become wealthier, they tend to pay others to do things for them. They hire deputies or representatives to take their places in councils, and soldiers to fight for them.

The combination of a totalitarian fervor for the State with disdain for the division of labor. Not a recipe for prosperity.

"greedy self-interest of profit"

Profit is just the indicator that goods have been used to efficiently serve the desires of consumers. Rousseau falls into the usual trap of confusing profit with greed, and voluntary exchange with slavery.

I will also repeat that, in a system where the State can forcibly redistribute wealth from one person or group to another, there will be a very powerful way for the worst in society to enact their greedy self-interests for profit: the government.

“In a country that is truly free, the citizens do everything with their own arms and nothing by means of money.”

It's worth noting that the institution of money is one of those things that is important for the operation of complex economies. Rousseau has held a fairly rudimentary view of capital, choosing instead to aim for a society of subsistence farmers, and this severely limits his framework.

“I hold enforced labour to be less opposed to liberty than taxes.”

Logically, (partial) enforced labor, i.e. everybody does “State stuff” one day a week is equivalent to a similar fractional application of taxes.

Practically, enforced labor requires a massive police state or, being charitable, massive social pressure. Taxation can also result in a massive police state, but not necessarily.

In good governments, people eagerly assemble, in bad governments they don't care because they expect the results to be bad no matter what.

If, on the other hand, the whole statist framework is built on a false notion of implied consent, then cynicism about the usefulness and legitimacy of the State might be a good thing.

If the government was strictly limited in principle or, better yet, purely voluntary, then it might make sense for people to spend little time on it because it has so little effect on their lives, and no trade-offs without their express consent. The source of this nonsense is Rousseau's unjustified insistence that the State be total.

Sovereignty cannot be represented. Laws passed by representatives are no laws at all. England is only free during elections of members of Parliament, outside of those times, they are slaves.

Rousseau is using the common definition of “law” here, and ignoring his narrower definition. It could be that all of the decisions of Parliament are decrees. After all, they are only expressed in government action against particular individuals. Rousseau has already recognized this as a possibility when he came up with his idea of the Legislator and separated it from the Sovereign, as well.

I guess if I wanted to salvage the idea, the Legislator would speak a possible law, and the people would vote it up or down? Legislation by Akinator? But then we have another problem, that the Legislator might simply speak a bunch of laws that profit one large group at the expense of smaller ones, or something like that. There's no guarantee that the body of proposed laws will be good, or that the ones approved by the people will be the good ones. The system is rife with opportunities to destroy minorities.

Setting that aside, the further question would be, why have Parliamentary elections if the inevitable result is slavery afterward? From another perspective, why would the government allow the people to exercise Sovereignty at all, if the people are already slaves?

The problem with this is Rousseau has been so floppy with terms that we can redefine things any way we want, and so can he.

The legislative power cannot be represented but the executive power can and should.

Again, the existence of “decrees” in Rousseau’s system makes this conclusion purely rhetorical.

The Greeks could concern themselves with their liberty because they had slaves to give them time to do so. In modern times, the people themselves are slaves. “[Y]ou pay for their liberty with your own.”

Unlimited direct democracy is not a particularly “free” system.

It’s worth noting that Rousseau’s lament of profit would prevent the creation of labor-saving devices that would enable the people to concern themselves with liberty without needing to hold slaves.

Not to say that slavery is good, but to emphasize why ancient peoples didn’t have representatives but modern peoples do.

Reductive.

“[T]he moment a people allows itself to be represented, it is no longer free.”

Unless the “laws” created by representatives are actually some other form of order, based entirely on vague rhetorical separations.

It’s worth noting that this also blocks a potentially voluntary pathway toward representation. Imagine that a “representative” was actually elected by getting a certain number of people to approve of him. Like, 30,000 people all sign a petition saying this guy represents them, as opposed to a vote with winners and losers. Without delving too deeply into the pluses and minuses of such a system, this is an alternative that Rousseau denies.

Therefore the Sovereign cannot preserve its rights unless its territory is very small. Yet this does not doom small States to being conquered, to be discussed later.

But I thought different size States just needed to institute differently-sized governments! And I thought size was a measure of goodness? Rousseau is hopelessly tangled in his own imprecise thinking and terminology.