

ROUSSEAU. THE FARCE OF POLITICAL REPRESENTATION¹

Milton Meira Nascimento's book, *The farce of political representation*,² defends a thesis opposite to ours and proposes a more positive and alternative reading of Rousseau.

Professor Milton is one of the greatest scholars of Rousseau's political thought and the book in question can be seen as a true apologia for the concept of democracy proposed by the Geneva philosopher.

We don't intend to comment on the whole book, which is made up of various essays published over time; we'll limit ourselves to the chapters on *The General Will and the Principle of Equity* and on *Political Representation as Farce*.

We begin by tackling the central issue: what is the general will? In our interpretation, Rousseau's general will – being infallible, indivisible, inalienable, not identifiable with the will of the majority or as the will of all – hovers like a "metaphysical entity" over the reality of the body politic. Milton Nascimento recognises the difficulties of understanding this key concept, but sets out to justify and defend its relevance.

The chapter of the book dedicated to the general will begins with a quote from the Catholic neo-Thomist philosopher Jacques Maritain, who compares Rousseau's general will to the believer's will of God.

Nascimento writes:

A passage from Jacques Maritain's 1625 book *Three Reformers, Descartes, Luther and Rousseau* will be our starting point for this investigation. There, the author, referring to the general will, states that we are faced with an absurd transposition of the position of the believer who, in his prayers, when asking God for something of his convenience, asks and wants, however, that God's will be done above all else, since, according to Rousseau, a losing vote in an assembly decision would be the recognition of an error, since, if his position were to win, he would be wanting something against the general will.³

Maritain isn't the only one to make this analogy, Carl Schmitt also says something similar in his famous essay *Political Theology*.

"*Imiter les decrets immuables de la Divinité*" was the ideal of state legal life that simply illuminated the rationalism of the 18th century. In Rousseau, whose article on *Political Economy* contains this quote, the politicisation of theological concepts in the concept of sovereignty is so evident that it did not go unnoticed by any of the real connoisseurs of his political writings. Boutmy in the *Annales des sciences politiques* (1602, p. 418) states: "Rousseau applies to the sovereign the idea that philosophers make of God; he can do what he wants; but he cannot do evil", etc.⁴

¹ Published in TOSI, G. - GUIMARÃES, R. *Democracia & elitismo dos antigos e dos modernos. ensaios*. Curitiba: CRV, 2020, p. 271-286.

² NASCIMENTO, Milton Meira. *The Farce of Political Representation*. Studies on Rousseau's political thought, São Paulo: Discurso Editorial, 2016.

³ NASCIMENTO, 2016, p. 55.

⁴ SCHMITT, C. *Political Theology*. Belo Horizonte: Del Rey, 2006, p. 43.

He goes on to say:

The metaphysical principle that God of himself manifests only general and not particular declarations of will dominates the metaphysics of Leibniz and Malebranche. In Rousseau, "*volonté générale*" becomes identical to the will of the sovereign; but at the same time, the concept of the general aspect also receives a quantitative determination in its subject, i.e. the people become sovereign. With this, the decisionist and personalist element of the concept of sovereignty in force until then is lost. The will of the people is always good, *le peuple est toujours vertueux*: "In whatever way a nation wills, it is enough that it wills; all forms are good and its will is always the supreme law" (Sieyès).⁵

For Schmitt, "all the central concepts of modern state theory are secularised theological concepts", and Rousseau's concept of the general will fits perfectly into this definition; except that Schmitt opts for Hobbesian sovereignty, which is more "decisionist" and "personalist" than Rousseau's popular sovereignty.

According to Prof Milton, Rousseau makes a historical turnaround in relation to Hobbes and the entire tradition: "Rousseau's turnaround puts the people in the place of the king. The sovereign people must also be the supreme authority." The concept of sovereignty developed in modern times since Bodin and Hobbes is "inverted" by Rousseau: the sovereign becomes the people and no longer the king. However, the characteristics of the power exercised remain identical: Hobbes' sovereign power is absolute, indivisible and irresistible, just as Rousseau's general will is indivisible, inalienable and infallible.

Prof Milton, in a way, corroborates this statement by comparing Hobbes and Rousseau:

The Hobbesian theory, without the political representation that establishes sovereignty, will be the basis of his theory of the sovereignty of the people. The Rousseauian solution takes up the entire structure of the Hobbesian thesis, but excludes the transfer of rights to a man or an assembly of men. This transfer, in Rousseau, will have a very different connotation. It consists of the alienation of one's person, freedom and property, not to a third party, but to the entire community of which each person is a part.⁶

The author recognises that, in denying representation, Rousseau "will encounter a great difficulty, that of how to make sovereignty appear on the political stage"⁷ and he repeats this concern several times. And here begins a *tour de force*, very dense and not always easy to follow, in which he exposes the juggling acts (I couldn't find another word) that Rousseau creates to keep the principle of the sovereignty of the people intact and radically deny the possibility that this power can be represented.

Three concepts have been introduced to mediate the relationship between sovereignty and State: that of "government", that of "legislator" and that of "political writer".

The first strategy is: "To establish an intermediary body between the sovereign and the state, that is, the government, to be the executor of the general will [...] The government is only the brain that accepts the orders of the sovereign (heart) and transmits it to its members."⁸ . There is

⁵ IDEM, p. 44-45.

⁶ NASCIMENTO, 2016, p. 64

⁷ IDEM, p. 64.

⁸ IDEM, p. 65.

a distinction between the free will of the people (**sovereignty**) and the realisation of that will (**government**).

What is the government?

It is the institution in charge of executing what the people want, made up of a cadre of officials who are subordinate to the sovereign people: "A good government is one that obeys the sovereign people. A bad government is one that does not obey the authority of the people and, moreover, wants to rule in their place, that is, to usurp sovereign authority."⁶ .

This power is called by Rousseau the **executive** power, in the literal sense of the term, i.e. that which executes the dictates of the sovereign will of the people; the power of the people is the **legislative** power, which "is the place where the general will is exercised. A people is only free when it can make decisions without transferring its will to anyone else. Legislative power must therefore necessarily be exercised by the entire sovereign people"¹⁰ and not by an assembly of representatives elected by the people.

Here Rousseau introduces the enigmatic figure of the **Legislator**, an extraordinary man in the State who does not belong to the Republic and has the office of making laws which is different from the office of governing men.

Rousseau says:

The legislator, in every respect, is an extraordinary man in the state. If he should be so for his ingenuity, he is no less so for his office; it is in no way magistracy, it is in no way sovereignty. This office, which constitutes the republic, does not belong to its constitution at all, because it is a particular and superior function, which has nothing in common with the human empire; for if he who governs men must not govern laws, he who governs laws must not, for the same reason, govern men; otherwise, his laws, instruments of his passions, would often perpetuate his injustices, and he would never be able to prevent particular points of view from altering the integrity of his work.¹¹

The legislator, despite having no authority, because he doesn't belong to the political community and has no power, has the task of persuading "a blind multitude, which often doesn't know what it wants because it rarely knows what suits it", given that "the general will is always right, but the judgement that guides it is not always enlightened"¹² .

Rousseau attributes to the Lawgiver the arduous task of "changing human nature, transforming each individual, who by himself is a perfect and solitary whole, into part of a greater whole, from which, in a certain way, this individual receives his life and being"¹³ .

Milton Nascimento recognises "that it is a task that is truly beyond human strength", because it is "simply the transformation of man from the state of nature, guided only by his private interests, into a citizen, the new man who places the common interest above the private"¹⁴ .

⁶ IDEM, p. 160.

¹⁰ IDEM, p. 161.

¹¹ ROUSSEAU. *On the social contract*. São Paulo: Abril Cultural, 1963, p.57-58 (The Thinkers).

¹² BIRTH, 2016, 66,67

¹³ IDEM, p. 67. This statement is reminiscent of Aristotle's in *The Politics*, that the whole is greater than the parts and prioritises the individual in the ontological order, since it wouldn't even exist without the whole.

¹⁴ IDEM, *ibidem*.

The legislator's job is to clarify for the citizens the principles on which the laws are based. And here Rousseau, defender of the infallible general will and uncompromising critic of representation, admits that: "The people need guides, because they do not always judge correctly about what they consider their own good. The wisdom of the legislator consists in clarifying the judgement so that the people get it more right"¹⁵.

Alongside the legislator, Rousseau places the figure of the **political writer** (he himself is one of them) with tasks that are close to, but different from, those of the legislator. While the legislator acts externally to the body politic, the political writer acts internally as a citizen and acts only in the determination of the general will, and not in its realisation, which falls to the government.

We thus have four figures that must harmonise: the sovereign people who express the general will, the legislator who externally clarifies the general principles of the law (so that the people can legislate following the general will), the government that executes the general will, and the citizen political writer who acts internally to monitor "the administrative machine in charge of the government which has, according to Rousseau, a tendency to act *motu proprio* against the general will"¹⁶.

Professor Milton realises the complexity of this construction and asks the central question: "How can we overcome the impasses of Rousseau's theory of sovereignty? How can we ensure that private interests do not take precedence over the general interest?"

The proposed solution is to equate Rousseau's general will with Aristotle's equity in the *Nicomachean Ethics*. Equity (*epieikeia*) for Aristotle is the virtue of reconciling the universal law with the particular case and is, like justice, a virtue.

Based on this analogy, according to Milton Nascimento, Rousseau devises two strategies to submit private wills to the general will. The first is to place laws above men:¹⁷

Men," says Rousseau, "have been led to join together more closely through civil societies, only to ensure the property, life and freedom of each member by the protection of all. Now, how can we force men to defend the freedom of one of them without worrying about that of the others? The solution lies in placing laws above men"¹⁸.

The second proposal is to make men virtuous, because: "Every man is virtuous when his particular will conforms to the general will".¹⁶ To practise the virtues of justice and equity is thus to be guided by the general will.

For Milton Nascimento, this means that "Rousseau's political engineering is an open field" because it must be moulded for each people with its own characteristics and not in a universal way, just like Aristotle's equity, which is the weighing up of the universal law against the particular case.

And he concludes this chapter with a *plaidoyer* in favour of the general will:

¹⁵ IDEM, p. 68.

¹⁶ IDEM, p. 72.

¹⁷ This is also an old Aristotelian lesson, as we saw earlier.

¹⁸ IDEM, p. 80.

¹⁶ IDEM, *ibid*.

We can conclude that, according to Rousseau, men generally go to an assembly thinking about their particular interests and, when they see their proposals defeated, they leave disappointed, as if they had lost a battle. But if they are virtuous (!), they won't go to the assembly for that purpose, but will always (!) be prepared to accept any (!) outcome of the deliberations and will be very happy with it.²⁰

From this central, albeit rather aporetic, clarification, we move on to discuss the final chapter *on political representation as farce*.

For Rousseau, the pact or social contract creates the body politic, the political association through which the *multitudo* becomes *populus*, but with a peculiar characteristic compared to other thinkers.

Milton Nascimento writes:

This newly formed political body has its own identity and, **as if it were a person**, it also has its own will, which Rousseau calls the general will. Just as every individual can only be considered free if they exercise their will without any coercion, so the political community can only be free if it is able to fully exercise its own will without restriction, in other words, its general will. This will in exercise, in action, is sovereignty.²¹

This statement is central to the entire argument that follows, it is an unquestionable presupposition that underpins the entire edifice of Rousseau's political philosophy. Here we have three key concepts: i) the body politic considered as if it were a person; ii) the general will that emanates from this body politic understood as a unit; iii) sovereignty, which is the free exercise of this will: "When Rousseau says that the people are sovereign, he means that the people are the highest authority and that they act without being tutored, without transferring their decision-making power to anyone"²².

But who are these sovereign people?

In a certain political tradition - says Milton Meira - such as Machiavelli's, the people are the simplest, poorest part of the political community and are opposed to the rich, the great. For Rousseau, however, the people are all the citizens of a given political community, without exception, including the rich and the poor.²³

This statement implies not recognising the existence of irreconcilable contrasts, conflicts and contradictions between the various components of the people, the rich and the poor, the proletarians and the bourgeois, and is consistent with the idea of a people as a single person expressing a single general will.

How can this be done without representation? Milton Nascimento says: "Through the creation of institutions that guarantee decision-making by all citizens". What is important to emphasise for the author (and this is a relevant aspect of his entire argument) is that the people are called upon to decide not to choose representatives, but to choose the "great questions that will guide political life"²⁴.

²⁰ IDEM, p. 84.

²¹ IDEM, p. 188 (Bold by the authors).

²² IDEM, p. 186.

²³ IDEN, *ibid*.

²⁴ IDEM, p. 162.

It is supposed that this decision-making power should be by vote, but Professor Milton doesn't explain how, whether by the will of the majority, by a qualified quorum or necessarily by unanimity.

A presupposition of this argument is: "the need for intense participation by everyone when a decision that concerns everyone is at stake"; mobilisation that would be "something very natural if people were used to always making decisions"²⁵.

What Bobbio and Dahrendorf criticised as the "total citizen" called upon to participate from morning to night in order to carry out their duties is seen here as something positive that would become almost "natural" if the people were used to making decisions. On the contrary, what happens with representative democracy is the widespread phenomenon of political apathy, which derives precisely from the fact that the people are not called upon to express their opinion on matters that affect their lives, their daily lives, or that are of general interest, but only to choose the representatives who will decide on these matters: "Instead of voting for proposals, for projects, [the English people] vote for representatives, that is, they vote for people who will have to make decisions in their place".²⁶

It is representative democracy, comments Meira ironically, that generates political apathy: "What a strange thing! Why are the vast majority of people no longer interested in politics? There's nothing strange about that, because the system itself has taken care of expelling the represented from the political scene".²⁷

It is a radical choice, an *aut aut*, between freedom and slavery, in the former the people exercise their sovereign will, in the latter they are "treated as imbeciles or infantilised"²⁸.

Nascimento says:

We speak of exhaustion when the mask of the representative system that maintains servitude as if it were preserving everyone's freedom begins to fall. [...] The end of the system, the end of a political model that can have no other name than 'farce', 'farce of representation'²⁶.

From this point on, Milton Nascimento dedicates himself to defending Rousseau against the usual criticisms that have been levelled at him, and which we have also made in our book. The author responds with one main argument, namely the distinction between "sovereignty" and "government".

In Chapter I of Book III of *The Social Contract*, Rousseau explains the differences between monarchy, aristocracy and democracy, and makes the famous statement that "a government in which all the members of the legislative power were also part of the executive power, would be so perfect that it would not suit men, and if there were a people of gods it would govern democratically"³⁰.

This paradoxical paradoxical apparently would to all all a Rousseau's argument, showing the "artificiality" of his discourse; but the

²⁵ IDEM, p. 161,162.

²⁶ IDEM, p. 166.

²⁷ IDEM, p. 206.

²⁸ IDEM, p. 163.

²⁶ IDEM, *ibid*.

³⁰ IDEM, p. 165, 166.

Professor Milton finds a solution in deepening the distinction between **sovereignty** and **government**.

If we can't choose representatives of popular sovereignty, we can choose representatives for government without losing our freedom of decision, without giving up popular sovereignty. "How? By simply (!) choosing proposals, projects, which will be carried out by elected officials as simple (!) servants of the people, with limited powers, subordinate to the sovereign people."³¹ .

It is somewhat surprising that such a "naive" and counterfactual statement is expressed in such a radical and unquestioning way, as if it were simple and easy for "officials" to carry out the decisions of the people without interfering in them. He goes on to state that: "Mass popular participation therefore takes place at two main moments, in the drafting of the goals that should be included in the fundamental laws and in the vigilance to ensure that these goals are respected by those in power."³² .

On the basis of this distinction, Milton polemicises with Rousseau's critics, in particular those who claim that Rousseau's democracy tends towards the tyranny of the majority. He cites Benjamin Constant and Hannah Arendt, but not the "classical" elitists (Pareto, Mosca, Michels) or the democratic elitists like Schumpeter, who make the more forceful criticisms to which we refer in our exposition.

To Benjamin Constant's objection that "a people that can do anything is as dangerous or more dangerous than a tyrant", Milton replies that Constant doesn't distinguish between sovereignty and government, because for Rousseau the government is just an official of the sovereign people.

But it could be objected (in Constant's favour) that the reading that the Jacobin revolutionaries made is a possible reading of Rousseau: the Jacobins considered themselves to be "commissioners", "officials", "executors" of the general will of the people and in its name they had imposed terror.

The same goes for Arendt's critique of the unitary character of the general will:

Rousseau took his metaphor of a general will seriously and literally enough to conceive of the nation as a body moved by a single will, just like an individual. It was precisely in this sense that Robespierre demanded "*il faut une volonté*
UNE [a UNA will is needed] *Il faut que soit republicaine ou royaliste* [it must be republican or monarchist]".³³

We don't see how the separation between sovereignty and government can shield Rousseau from these criticisms; and Milton Nascimento himself ends up recognising "the theoretical difficulty when we have to deal with the concept of the general will"³⁴. He also recognises that "the principles of political law outlined in the *Social Contract* are 'rules of observation', which cannot be transposed purely and simply to the political reality of the concrete history of peoples" and continues: "No careful reader of the *Social Contract* will go out into the world proposing political reforms through the application of the concept of the general will".

³¹ IDEM, p. 166.

³² IDEM, p. 167.

³³ IDEM, p. 202. ARENDT, Hannah. *On Revolution*. São Paulo: Companhia das Letras, 2011, p. 113.

³⁴ IDEM. P. 202.

practice of Rousseau's ideas"³⁵. On the contrary, "very attentive readers" have done so with consequences that were not always positive, just think of the French Revolution.

And he concludes these reservations by appealing to utopia: "Political institutions for the exercise of popular sovereignty will have to be the subject of a highly complex process of creation and invention that only free peoples will be able to realise".³⁶

And here we see something quite contradictory to the previous argument:

In this moment of effervescence, of agitation for political freedom, the affirmation that for the general will to be made explicit it will be necessary for all differences to be heard, for all differences to be manifested, should be the motto indicating that the people are taking the reins of the process and not a vanguard or the people's representatives "terms that must be banished from the political vocabulary if political freedom is to be preserved"³⁷.

As well as asking who would have the authority to "ban" something from the political vocabulary and whether this would not be an authoritarian stance, the perplexity arises from the fact that the manifestation of differences is not foreseen in Rousseau's political system, since "the people, the political body has its own identity", and, "**as if it were a person**, it also has its own will, the general will".

I wrote Milton Nascimento in the previous chapter:

Whatever the people want will be what is indicated by the general will. And it couldn't be any other way, since the political community, according to Rousseau, is always thought of as a body. This analogy is decisive, because **it is impossible to think that a body**, an organic unit added to a psychic structure, **can have more than one will**. Consequently, the people can have a single, indivisible will.³⁸

So where would the differences come from and how would decisions be made when these differences would manifest themselves, by majority, by unanimity, by qualified *quorum*, through dialogue or through violence?

The author concludes that Rousseau's is a "radical critique of democracy, of course, but of representative democracy, that is, of a regime that has very little of democracy in it, and is, as we have said, a true aristocracy. This is what Rousseau is rebelling against"³⁶.

Representative democracy, according to Prof Milton, a reader of Rousseau, is not a democracy but an aristocracy or an oligarchy and must be radically replaced by direct democracy.

Prof Milton says:

Most of the criticisms levelled at Rousseau focus on a single point: that he was proposing a direct democracy, which in modern times would be totally impossible to realise given the very large size of the states.⁴⁰

³⁵ IDEM, p. 204.

³⁶ IDEM, p. 208.

³⁷ IDEM, p. 206

³⁸ IDEM, p. 56.

³⁶ IDEM, p. 2010.

⁴⁰ IDEM, p. 164.

But the territorial dimension is only one reason to justify the need for a representative democracy; in addition, there is the complexity and pluralism of modern societies, which we analysed earlier.

In a way, the territorial dimension could be an obstacle to be overcome, as the process of intermediation and electronic interconnection of citizens advances, who could be called upon "virtually" to express themselves both to approve or disapprove bills (through referendum and plebiscite), as well as to present and vote on bills of popular initiative. Electronic democracy, with all its flaws and problems, could be a viable tool in the not-so-distant future for greater popular participation, because it eliminates the dimension of space and time by simultaneously placing all citizens in the same virtual space-time.

The second objection seems more pertinent to me; it's not just a question of giving citizens more opportunities to speak out, but the central issue is that decisions are always more complex and difficult to make with a yes or a no answer. The complexity of the issues to be decided requires a body of technicians and bureaucrats and politicians, and long discussions that can be part of the public debate—as happens in the sessions of the House and Senate or the judiciary, broadcast by the media—but cannot be "decided by the people". Politicians, technicians and bureaucrats are necessary mediators for decision-making in a highly complex and diverse society; they cannot be mere "officials" and "executors" of a decision previously made by "the people".

The third element is more decisive and directly attacks the basic assumption of Rousseau's entire discourse: there is no such thing as a "people" with a single will, which acts as if it were one person. The "people" are plural in their ideologies, interests, beliefs, attitudes, choices: we can't see how these differences can manifest themselves if the people are seen as having a single will.

Rousseau even condemns any institutionalisation of the mediation between popular sovereignty and the government (parties, unions, corporations, etc.): because they would all be an expression of a part and not of the whole that is the general will. The mandate of the "officials" would be a totally binding mandate, absolutely imperative, which should simply (!) execute a previously defined popular will, no-one knows how.

Professor Milton rhetorically appeals to the "creativity of a free people", but he doesn't present any minimally sketched political engineering that would allow this manifestation of the general will and its execution by officials; perhaps because these "details" are not the responsibility of the philosopher, who limits himself to discussing "*i massimi sistemi*", and leaves the rest to the political scientist.

Readers who have followed us this far know that our thesis is different: participatory or direct democracy cannot be seen as an alternative to representative democracy, but as a necessary complement to it.

Representation is in crisis both in the older, consolidated democracies and in the new ones that have emerged from periods of authoritarianism; but we don't see how the democracy proposed by Rousseau can be an alternative to this crisis, it seems more like an aggravation of it. Not only is it hardly feasible, as Milton Nascimento himself admits, but it is also intrinsically contradictory, because it is based on an undemonstrable and uncritically accepted metaphysical assumption: that

there is a people with its own general will, made up of all the citizens of a state, whose particular interests must be subordinated to the general interest, where rich and poor, oppressed and oppressors, whites and blacks, fascists and Marxists, feminists and chauvinists, landowners and landless, proletarians and owners, must submit to a single general will.

We recognise that the legal framework of modern democratic states of law has popular sovereignty as its constitutional principle, due to the explicit influence of Rousseau, and that this is why the mandate of representatives is not binding, not imperative, but broad, precisely so that they can represent the common good and the general will. But this, as Bobbio said, is one of the main unfulfilled promises of democracy, which is always more a representation of particular interests clashing in the public arena⁴¹. And it is a promise that cannot be fulfilled precisely because there is no univocal and predefined general will.

We can also agree with Milton Nascimento that private interests in a democratic society are not irreconcilable (unlike what the Marxists say), but not because they submit to a single general will. In a more realistic view of democracy, the general interest, the common good, is the result of a parallelogram of forces whose vector is given by the relations of force and tension that point in one direction, possibly without violence or with the legitimate violence of the state.

Finally, we can even agree that our elitist conception of democracy is aristocratic, because it presupposes that it is an elite that governs and not the people directly. But it is also democratic because it allows the elite or ruling class to be recruited widely and unrestrictedly by the citizens, including the classes traditionally excluded from power.

The democratic elite is therefore not an aristocracy of blood (hereditary) or money (oligarchy or plutocracy), nor moral and intellectual (epistemocracy); but a ruling class chosen in the competition between elites to win popular consensus and subjected not only periodically, but permanently (through the instruments of participatory democracy) to citizen control. A democracy is also or mainly measured by the quality and representativeness of its elites and the capacity for renewal and circulation of elites that it manages to promote.

Returning to the theme of modern politics as the secularisation of theology, we can say that in this conception of democracy, which is that of political liberalism, there is nothing absolute: neither Hobbes' "mortal God", absolute, indivisible and irresistible, nor Rousseau's general will, infallible, indivisible, inalienable. Democracy is a political system in which there are different centres of power (Dahl's polyarchy) and power is a "place".

⁴¹ BOBBIO, N. *O Futuro da democracia*. Rio de Janeiro: Paz e Terra, 1986, p. 25: "Never has a constitutional norm been more violated than that of the prohibition of an imperative mandate. Never has a principle been more disregarded than that of political representation. But in a society made up of relatively autonomous groups that fight for supremacy, to assert their own interests against other groups, can such a norm, such a principle, really find fulfilment? Apart from the fact that each group tends to identify the national interest with the interest of its own group, is there any general criterion capable of making it possible to distinguish between the general interest and the particular interest of this or that group, or between the general interest and the combination of particular interests that agree among themselves to the detriment of others?"

as Claude Lefort put it⁴², there is not really a final decision, a last word, but a constant and open dialogue, which never ends due to the provisionality of the results. Democracy would thus be the secularisation not of an omnipotent and omniscient God, but of a God who becomes "human, all too human".

The central point of divergence with the absolutism of Hobbes and Rousseau is the unitary and monolithic conception of power of both, albeit with an inverted sign. To avoid this monopoly of power, liberal democracy proposes the separation of powers as a *check and balance*, the presence of majority and counter-majority powers, *checks* and *balances*, in an attempt (always uncertain) not to repress, but to manage conflict without violence or with the legitimate violence of the rule of law.

Despite the differences of opinion, we recognise that Professor Milton's book goes beyond Rousseau and tackles a complex issue with great skill and determination, namely the relationship between democracy and liberalism. Liberals have always distrusted democracy because of the danger of it becoming a "tyranny of the majority"; democrats have always distrusted liberals because of their elitist conception of democracy. Milton Nascimento clearly opts in favour of direct democracy as the only system that would reconcile the two instances, the democratic and the liberal; but it doesn't solve the dilemma, because Rousseau's doctrine is not only enigmatic, but also contradictory and presents elements that justify the fear of the tyranny of the majority or populism.

With regard to the latter phenomenon, which is the fastest growing in the contemporary world, Milton Nascimento's reading of Rousseau has little to do with populism; in a way, it's its opposite, because power is "solidly" in the hands of the people who don't delegate it to anyone else, the exact opposite of populism where power is exercised by the leader who manipulates popular consensus. Populism, on the other hand, is founded on the same principles as Rousseau, i.e. the existence of a univocally understood people with its own will, of which the populist leader claims to be the faithful executor, not its representative. For this reason, Rousseau has served as an inspiration for populist leaders of both the left and the right, and the accusations of authoritarianism (from Constant and Arendt, but also from Bobbio and Dahrendorf) are well-founded.

⁴² See OLIVEIRA, Luciano. *Claude Lefort and Democracy: a vision against common sense*. 2013, p. 5. Available at: <http://www.cchla.ufpb.br/wp-content/uploads/2013/03/CLAUDE-LEFORT-E-A-DEMOCRACIA.pdf>: "Didactically, Lefort invites us to notice the disconnection that takes place between the instance of power and the instance of the law, from the moment the identity of the political body is erased. In fact - and here we touch on one of Lefort's most famous formulas - "power appears as an empty place", and those who exercise it "as mere mortals who only occupy it temporarily. [...] In short, "democracy inaugurates the experience of an unapprehensible, indomesticable society, in which the people will certainly be said to be sovereign, but where they will never cease to question their identity".

Marta Nunes da Costa's criticisms of Rousseau, in the conclusions of her work *Os dilemas de Rousseau (The Dilemmas of Rousseau)*, are along the same lines:

In the previous chapters, I showed how Rousseau's political project is marked by several apparently insoluble dilemmas. [...] This impossibility of execution stems from two factors. The first relates to the broader project of transforming human nature; the second relates to the belief that men, by transforming themselves, are not in a position to achieve their goals.

if they become citizens, they will find it easier to identify and/or construct the common interest and thus make the general will override their private and particular wills. ⁴³–.

Quoting Hannah Arendt's criticisms of Rousseau, Marta da Costa comments:

Although Rousseau wants to restore the conditions of (hypothetical) natural equality and liberty, he does so by stating that natural liberty must be *replaced* by civil, political and moral liberty [...] The concept of liberty is being transmuted, which from now on will be compatible with the admission of submission to the law, to the positive exterior, to the fiction of the general will that must regulate individual wills, to the political fiction of popular sovereignty. *Isonomy* comes to be understood as equality before the law and *isegoria* becomes superfluous; after all, we haven't forgotten that Rousseau saw the exchange of ideas and public discussion as a danger to the formation of the general will. The deliberative process, unlike today, was seen by Rousseau as an invitation to the definition and proliferation of factions that would make his project of unifying wills unfeasible. ⁴⁴

Which would, in a way, confirm the analogy with Hobbes. He continues:

Rousseau's mistake was to think that it was possible to transpose the ideal of a single will into a practice that depended on converting or transmuting the consent of citizens into a general will. The general will by definition must be one and indivisible, which is why it excludes the domain or public space of opinions. ⁴⁵

In conclusion:

In this sense, it is easy to understand how Rousseau can be used for anti-democratic projects. From the point of view of a conceptualisation of democracy

⁴³ COSTA, Marta Nunes da. *Rousseau's dilemmas: human nature, politics and gender in perspective*.

Ijuí: Editora Unijui, 2017, p. 136.

⁴⁴ IDEM, p. 140,141.

⁴⁵ IDEM, p. 142.

In a contemporary democracy that necessarily starts from Tocqueville's paradigm of "equality of conditions", in which equality, or rather the process of ever-increasing equalisation, unfolds in the multiplication of rights (civil, political, social, economic and cultural), this equality requires a political horizon defined by pluralism and respect for differences. [...] For this reason, the Rousseauian model is not only incompatible with a contemporary reading of democracy (and all that it implies), but can also serve instrumentally for its opposite: nationalist, extremist and authoritarian projects.⁴⁶

This is not the Rousseau of Milton Nascimento, who presents a very different thinker from his critics: a republican, a defender of the people's freedoms and civic virtues, of the virtuous citizen willing to renounce his private interest in the name of the general interest, of the citizen who, by obeying the law that he himself helped to create, does not lose his natural freedom, but transforms it into civil freedom, of the citizen called to actively participate in political decisions.

It was Rousseau who influenced Kant's political thought: and in a way, one could make a transcendental reading of the general will, as a categorical imperative, and therefore moral and not political, and as an idea or ideal of reason, which can never be achieved, but which indicates the path to be travelled.

A more positive reading of Rousseau is possible, one that tries to reconcile freedom with popular sovereignty, liberalism and democracy. This does not require the elimination of representation, but the strengthening of participatory democracy instruments that can coexist with representative democracy, participating in the drafting of laws, monitoring their fulfilment, monitoring the actions of representatives, as we have tried to demonstrate in our text.

The enigma remains: the libertarian Rousseau is the other side of the authoritarian Rousseau; sides that can perhaps never be fully reconciled. Like the Machiavelli of *The Prince* and *The Discorsi*, the Rousseau of *The Discourse on Inequality* and *The Social Contract* are two faces that can hardly be reconciled, despite all the efforts of interpreters.

This is the greatness of the classics and of the geniuses of political thought who maintain their complexity and permanent relevance.

⁴⁶ IDEM, p. 143.