My aim in this paper is to reconstruct, and to defend as far as possible, Rousseau’s account of "the kind of thing" social inequality is. Or, expressed in contemporary lingo, my topic here is the "ontology" of social inequality. Exactly what an ontology of social inequality consists in for Rousseau will become clearer in what follows. But a preliminary idea of his project can be had by noting that his account of the kind of thing social inequality is includes two principal claims: that social inequalities are privileges and that they are artificial (factice). Explaining what these two claims mean and why Rousseau holds them is the main aim of this paper. It is important to note at the outset (since many interpreters have been confused by this) that neither 'privilege' nor 'artificial' is itself a term of critique for Rousseau. In other words, neither of Rousseau's principal ontological claims directly answers the more commonly investigated question (to which he also devises an answer): when and for what reasons are social inequalities unjustified or deserving of critique? Although my undertaking here fits most squarely within what has come to be called social ontology, it is not irrelevant to the central normative questions of social philosophy. One hint of this connection can be seen in my brief consideration towards the end of this paper of two implications Rousseau's ontology of inequality has for thinking about what form an effective critique of inequality must take.

Rousseau's account of social inequality is articulated in his Discourse on the Origin and Foundations of Inequality among Men (the Second Discourse), which precedes by several years both Émile and The Social Contract, the works in which he develops his positive account of the conditions under which the forms of equality that social and political philosophy should be concerned with can be achieved. The Second Discourse informs those later texts, insofar as it offers an analysis and critique of various kinds of inequality that Rousseau finds in contemporary society, which provide him with resources for thinking about the types and degrees of equality we ought to strive to achieve, and why. This enables him to set out, in Émile
and *The Social Contract*, the principles by which political institutions and domestic education must be guided if inequality is to be kept within its proper bounds—which is to say, if it is to avoid being a systematic source of domination, suffering, and social conflict. Thus, the project of the Second Discourse is clearly normative in character, as indicated by its title’s reference to the *foundations* (*fondements*) of inequality, the term Rousseau uses to rephrase the Academy of Dijon’s original question as to whether human inequality is "authorized by natural law."

In Rousseau’s text, however, these normative issues are preceded by, and said to depend on, answers to another set of questions concerning the "origin" of inequality. Much of Rousseau’s inquiry into this issue focuses on whether inequalities have their source in *nature*—including *human nature*—with a view to determining whether they are therefore necessary features of human society, or whether they have some other, non-natural source that makes them eliminable or at least alterable by human intervention. This question is intimately bound up with the ontological issue that is my principal topic here: the kind of thing human inequality is. As I have noted, in focusing on this aspect of the Second Discourse I am explicitly bracketing its main normative question: under what conditions is inequality unjust (or illegitimate or impermissible)? Although Rousseau ultimately places severe limits on the scope of permissible inequalities, he is far from holding that all inequalities are unjust or otherwise pernicious, and—to invoke a distinction explained below—he does not believe that only "natural" inequalities can be justified. Thus, both of Rousseau’s claims about social inequalities—that they are *privileges* and that they are *artificial*—must be construed such that neither implies the impermissibility of the inequalities that possess these characteristics: finding that a given form of inequality is

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1 The significance of this rephrasing is that Rousseau wants to deny that most inequalities are authorized by natural law while claiming that some can nevertheless be justified on other foundations, namely, rational consent.

artificial, or that it gives privileges to some that others lack, never itself establishes the illegitimacy of the inequality under consideration.

Rousseau's first major move in the Second Discourse is to replace talk of inequality in general with terminology that distinguishes between two types: "moral" or "political"—or what I will call social—inequality, on the one hand, and "natural" or "physical" inequality, on the other. (I place Rousseau's terms in quotation marks because they do not capture perfectly the distinction he has in mind: 'moral' and 'natural' must be defined more precisely if we are not to be misled by them.) Since natural inequalities lie outside our control and, more important, since (as Rousseau believes) they play a negligible role in the most salient inequalities of social life, the Second Discourse concerns itself with the origin and legitimacy of only moral inequalities. These are taken to differ from natural inequalities in two respects, each of which makes them social phenomena. The first difference concerns their "origin": moral inequalities are not consequences of nature alone but depend instead on "convention," which means that they are "established, or at least authorized, by [human] consent" (DI, 131/OC 3, 131). This thesis can be expressed using a term that Rousseau invokes throughout the Second Discourse: social inequalities are artificial, where this, I will argue, is less a claim about how they come about than about how they are sustained once they exist, namely: through convention, or the authorizing consent of those who are subject to them. Moral inequalities are in one sense social, then, because their ongoing existence depends on a kind of collective consent (to be explained below).

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1 Showing that an inequality is both artificial and a privilege is also insufficient to imply a critique of it. Although the inequalities criticized in the Second Discourse have both features, one might ask whether there can be artificial inequalities that are not also privileges, and vice versa. I am inclined to answer this question negatively in both directions.

2 'Moral' here contrasts with 'physical' and 'natural' and so has a broader meaning than it has for us. An example of Rousseau's usage is his characterization of the "public person," or moi commun, which issues from the social contract as a "moral . . . body made up of as many members as the assembly has voices" (SC, I.6.x). What makes this moral being exist is not a physical phenomenon but an intellectual or "spiritual" one: the rational consent of its members.

Second, moral inequalities are social in content (as opposed to in origin). Moral inequalities have a social content in that they consist in one individual (or group) possessing a certain type of advantage over others. As Rousseau puts it, moral inequality consists not in "differences in age, health, bodily strength, and qualities of mind or soul [e.g., wisdom or virtuel]" but in "privileges that some enjoy to the prejudice of others, such as being richer, more honored, more powerful than they, or even getting themselves obeyed" (Di, 131/OC 3, 131). This is an ontological point insofar as it specifies the kind of thing social inequalities are, namely: privileges enjoyed by some to the disadvantage of others. In sum, moral inequalities are social phenomena not only because they depend on convention, or collective consent, but also because those advantaged by moral inequalities enjoy privileges over those who are not.

In making sense of these two claims it will be helpful to bear in mind the specific forms of social inequality Rousseau is concerned with, as enumerated in the passage just cited: differences in wealth, honor, (non-physical) power, and, finally, the ability to command others and to have those commands obeyed. The literary character of Rousseau’s writing often leads readers to suppose that it lacks the rigor of good philosophy, but in this case—as in most others—his examples are carefully chosen. They indicate the four species of inequality most important to his social critique, and they correspond to the four dimensions of social equality that his vision of a good society will try to make room for. In other words, a complete reconstruction of Rousseau’s social philosophy would have to say something about the extent to which a good society can tolerate inequalities in wealth, status, social power, and authority (or "rule") over others. ("Authority" does not mean not the right to command others but the actual ability to do so successfully; unjustifiable inequalities in authority constitute what Rousseau calls domination (or subjection). I take this distinction to prefigure Max Weber’s point that not all inequalities in social power take the form of domination, or of asymmetries in commanding and
obeying.) In reconstructing Rousseau’s position I first examine his claim that social inequalities are privileges enjoyed by some to the prejudice of others, and then I turn to his claim concerning the artificiality of social inequality.

Social inequalities as privileges

The former British Prime Minister David Cameron was once described by the BBC as follows: "he never made a secret of his privileged background, saying he wanted everyone in Britain to have the kind of advantages in life that he had had." Rousseau’s account of social inequality implies that this statement is both incoherent and (most likely) insincere. The first of these points is conceptual: it is incoherent to wish that everyone could enjoy the same privileges (or advantages) as those oneself has enjoyed. A privilege is by its nature enjoyed by some but not by all, such that if all had the "privilege" of attending Eton, it would cease to be one. More interestingly, if Rousseau is correct, Cameron’s statement is almost certainly insincere. Even if we charitably rephrase the statement to read "I wish everyone in Britain could have attended as good a school as I did," it is doubtful that Cameron (or any similarly situated human being?) would genuinely wish for such a state of affairs. This is because, as Rousseau’s discussion of social inequality implies, when what is at stake are qualities out of which genuinely social inequalities can be created, the benefit of having a certain quality (having attended Eton), for the person who has it, necessarily decreases when others come to have it, too. Of course, a good education has many benefits that remain even if everyone has one, but when distributed unequally, a good education also confers considerable benefits on those who have it that would necessarily disappear under conditions of equality. Hence, since it is unlikely (though possible) that someone accustomed to such benefits would wish for them to disappear, doubts about the sincerity of Cameron’s statement are in order. The kinds of inequalities that Rousseau calls

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* According to Weber, (social) power is “the probability that one actor within a social relationship will be in a position to carry out his own will despite resistance, regardless of the basis on which this probability rests” (.)

privileges are of precisely this type, which means they are social in a more substantive sense than "natural" inequalities.

What makes such inequalities genuinely social is not the mere fact that by definition inequalities consist in relations among individuals. For this is true of all inequalities, including natural ones: it is impossible for me to be "older" unless my age is situated in relation to the age of someone else. My being older requires that there be others whom I am older than, but this is not a social relation. The difference between social and natural inequalities is also not that the former are somehow socially relevant, whereas the latter are not. Rousseau holds that some natural inequalities—in age or wisdom, for example—have normative implications, for he claims that certain asymmetries in authority (in the family, for instance) are justified by the natural differences between those who command and those who obey. What makes moral inequalities social in content, rather, is their character as privileges, and this makes them relational in a more robust sense than natural inequalities. Indeed, social inequalities are robustly relational in two respects (which, not coincidentally, correspond to the two respects in which *amour propre*, the passion Rousseau ultimately appeals to in explaining where social inequality comes from, is "relative" in nature. I return to this point below.)

The first respect in which social inequalities are robustly relational is that the characteristics in terms of which they are defined are themselves relative, or positional, properties rather than "absolute," or non-comparative, qualities. Health, bodily strength, and wisdom—examples of natural characteristics—are properties individuals possess without regard to whether others possess more or less, or even any amount, of the same. The extent of a person's health, physical strength, or wisdom is independent of how healthy, strong, or wise

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1. Also, conceivably, in the state! (DI, 188/OC 3, 194).
3. The inclusion of wisdom in this list may seem odd since, unlike age or (the biological predisposition to) health, acquiring wisdom seems to require the wise person's own doings. But Rousseau's inclusion of wisdom in this category confirms my way of explaining what natural inequalities are for Rousseau: i) my being wiser than X does not depend on agreement or opinions; and ii) wisdom is a characteristic I possess, and can desire to possess, independently of the degree of wisdom of others.
her neighbors might be (and independent even of whether she has any neighbors). Moreover, the desirability of these qualities is non-relative: the desirability of health, physical strength, and wisdom is independent of whether, or to what extent, others possess them. Neither of these points holds, however, in the case of social inequalities. For the relata in terms of which social inequalities are defined are inherently positional characteristics that make reference to how well or poorly others fare along the same dimension. I can possess status, social power, and authority—I will take up the case of wealth below—only insofar as others possess amounts of the same that can be compared to mine, which is why Robinson Crusoe (before Friday appears on the scene) can be healthy, physically strong, and wise but cannot possess any degree of status, social power, or authority. For status is always standing as compared to the standing of others; social power is always power in relation to that of another; and getting one's will obeyed requires that there be another who obeys. It follows, then, too, that the desirability of status, social power, or authority depends on having relations to others; desires for these characteristics make sense only in a social context.

The second respect in which social inequalities are robustly relational (or social) in nature is that possessing the characteristics in terms of which those inequalities are defined requires the participation (in a broad sense) of others. Whereas I can be healthy, physically strong, and wise all by myself, without being practically engaged with others, the characteristics that define social inequalities occur within a social framework of cooperation or competition (or both) in which the persons who possess the relevant advantages and those to whom such persons must relate in order to possess those advantages, actively take part: status requires individuals who bestow a status on others; authority requires that others obey, and social power requires that a plurality of wills be competing for the same things. In all these cases, having one of the characteristics in terms of which social inequalities are defined requires engaging with the wills of others in a way that having a certain height or age does not. Social inequalities presuppose and are embedded within networks of interactive agency in which those who are subject to such inequalities actively take part.
Yet these two respects in which social inequalities are robustly relational do not fully explain why they are privileges, or benefits that some enjoy to the prejudice of others. In order to understand this claim, we need to bring two further considerations into the picture. The first is that social inequalities involve differences that are widely taken to be desirable, including (typically) by those who have less of them rather than more. Thus, social inequalities normally rest on some degree of consensus about the prima facie goodness of (at least some degree of) wealth, status, social power, and authority. (The issue of normative consensus will become important when we turn to the artificial character of social inequalities.) Second, however, these goods are positional in the sense that one person’s having them necessarily imposes burdens or constraints of some sort on others, even when those goods are equally distributed. Whereas one person’s wisdom does not by itself imply any burdens or constraints for others, status, social power, and authority always do, even when possessed in equal amounts. This is easiest to see in the case of authority, which a person can have only if someone else obeys, where obedience implies constraining one’s own will by another’s. Authority is always authority over some other individual who (in some specific respect) lacks authority and is therefore (in that specific respect) constrained by the will of another. Even if you and I have equal authority in relation to each other, each of our wills constrains the other, though to equal degrees. Something similar is true of power, as long as we mean by that term something more than physical strength. An individual with social power—one who, without issuing a command, is capable of influencing others to carry out her own ends or of achieving her ends in a context of competition—is powerful only insofar as her will in some way "wins out" in relation to others’. And something similar holds of the recognize relations on which status depends: recognizing another always involves accepting a corresponding burden or constraint on the part of the recognizer: even when we recognize each other as equals—as equal citizens (in The Social Contract) or as equal moral beings (in Émile)—each of us constrains himself to regard or treat the other in ways appropriate to the status that his recognition bestows on the other. This point implies that when
status, social power, and authority are distributed unequally, they become privileges, or advantages enjoyed by some to the detriment of others.

It might seem that wealth, the characteristic in terms of which economic inequality is defined, does not share with status, social power, and authority the characteristic of being a robustly relational property of the sort I have just discussed. Indeed, if wealth is thought of as a relation between human beings and things, then there is clearly some sense in which what, or how much, I possess is independent of what others have and even of whether there are other potential holders of wealth in the world I inhabit. It is equally clear that the desirability of wealth in this sense is independent of one's relations to others. If wealth is understood in this way, one could say, even of Robinson Crusoe, that he is wealthy (depending on, say, the extent of his ability to make use of things in order to achieve his ends), and we can easily understand why he would desire to be so. Wealth in this sense is a non-moral relation between human beings and things that might be spelled out in terms of physical possession or control. Adam Smith, in discussing premodern societies, articulates such a non-moral conception of wealth when he says, "Every man is rich or poor according to the degree in which he can afford to enjoy the necessaries, conveniences, and amusements of human life."

This is not, however, the conception of wealth typically at issue when questions of economic inequality arise. Rather, such questions presuppose a more complex social context in which humans live and work together and where their relations to the things they possess or control are mediated by moral relations to other humans. Rousseau's implicit claim is that in such a context wealth is inseparable from relations among persons that bestow on inequalities in wealth the same general character that inequalities in status, social power, and authority exhibit, including that of being privileges that some enjoy to the disadvantage of others. Marx was clear about the social character of wealth (understood as exchange value rather than use value) within market-based systems of production, though for him the most prominent version of that thesis—the thought underlying his account of commodity fetishism—is that wealth (in

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the form of exchange value) is a robustly relational quality determined by setting the amount of socially necessary labor time embodied in a certain set of commodities in relation to the total labor time that society as a whole spends in reproducing itself.

Perhaps surprisingly, it is Adam Smith who most clearly formulates the Rousseauian idea that (in "commercial society") social wealth is a robustly relational quality, inequalities in which constitute privileges enjoyed by some to the disadvantage of others. When articulating what the "real measure" of wealth "after the division of labor" consists in, Smith says that a person "is rich or poor according to the quantity of that labor [of others] which he can command, or . . . afford to purchase." On this account, wealth is a robustly relative (and inherently social) phenomenon: it is not only that the "real" extent of my wealth is measurable only in relation to the extent of the wealth of others but also that wealth itself is a social relation: what it is to have wealth (in commercial society) is to stand in some relation—as potential "commander" or "purchaser"—to the activity of other human beings. When Smith describes the social character of wealth, he seems to have in mind two relations that are constitutive of wealth and that correspond to the distinction Rousseau draws between social power and authority. To possess wealth is to be able to command directly the labor of others (by purchasing their labor power and employing it) and to have those commands obeyed, which is therefore a relation of authority or rule. But to possess wealth is also—and this is by far the more common case in commercial society—to be able to command others' labor indirectly through one's ability to purchase the products of their labor. In the latter case no direct commands are issued by the possessor of wealth, which means that there is no relation of obedience in place, but power is exercised nonetheless insofar as one person's wealth determines—indirectly, via market relations—what form the labor of others will take. In the former case, inequalities in wealth can translate into relations of domination, whereas the latter—what we call "purchasing power"—is an instance of impersonal social power over others. Wealth, in other words, translates directly into specifically economic forms of social power and authority over others. In both cases wealth

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* Smith (2000), 33.
shares with status, and with social power and authority more generally, the characteristic of being a capacity to impose burdens or constraints on others, which in turn implies that inequalities in wealth take the form of privileges on the part of those who have more and of disadvantages on the part of those who have less.

Although Rousseau is concerned with all four of the types of social inequality I have discussed, economic inequality is the most prominent object of his critique of modern society (Di, 161/OC 3, 164). Wealth for Rousseau has a special status in part because it is intrinsically related to the qualities in terms of which the other three forms of social inequality are defined. Wealth, in its modern form, brings together all the dimensions of sociality highlighted by Rousseau: it consists in certain relations of recognition, social power, and authority, and this is true even when it is equally distributed. In conditions of absolute equality, wealth is still a form of recognized standing, social power, and authority, but spread equally among all individuals. I have just explained how possessing wealth in commodity-producing societies is a form of both social power and authority, but it is also a form of status insofar as ownership is itself a type of recognized standing. For when wealth is regarded as a moral phenomenon—as more than merely the physical possession of, or control over, things—it must be understood as a normative relation among persons. Wealth within society takes the form of property, and as such it consists in a socially recognized right vis-à-vis other persons to do certain things with the property that society recognizes as one's own. For this reason to own wealth just is to be recognized by others as having a certain standing, and being recognized in this way consists in socially enforced constraints on the actions of others in relation to what I, for example, own.

The claim that wealth condenses the three other dimensions of sociality into a single phenomenon—and hence one of the reasons Rousseau has for focusing so intensely on economic inequality—is valid only within certain historically specific conditions, such as those that were coming to prevail in Western Europe as Rousseau began to formulate his critique of social inequality. This is a complex issue because the tightness of the connections that wealth has to each of the three other dimensions of sociality varies with respect to historical
circumstances. The connection I have noted between wealth and recognition—that to possess wealth is to enjoy a socially recognized standing as a bearer of property rights—holds quite generally, that is, in societies with very different forms of economic organization, providing only that wealth in such societies takes the form of legally recognized property. (This connection between wealth and status is different from the more historically specific one we are most familiar with: "conspicuous consumption," where accumulating wealth serves the function of raising one's recognized status in relation to the less wealthy.)

The connection between wealth and social power seems to be less general. In any case, the tightness of the relation between wealth and social power that Rousseau emphasizes most—that wealth is relative purchasing power and, so, the ability to win out over others in a market-mediated struggle among competing economic ends—varies in direct proportion to the extent to which a society's economy takes the form of generalized commodity production: the more that market relations structure and determine the activities of labor and consumption, the more the identity of wealth and social power is complete. (The obverse of this is that in societies where the market plays less of a role in determining economic activity, inequalities in wealth translate less directly, if at all, into inequalities in social power.)

Finally, the claim that wealth can translate into a form of authority or rule—that it consists in an ability to get one's commands obeyed by others—is even less general than the connection between wealth and power. In order to see why, we should ask: under what conditions does wealth translate directly into an ability to issue commands to others and to get them obeyed? According to Smith's conception of wealth, it is when one person's riches give her the power to purchase and then to direct or command the labor of others. This is not the case in every type of society, not even in every conceivable version of generalized commodity production. To show this, Rousseau offers us the vision of a Golden Age, preceding the corrupted social state that he associates with his own, in which independent artisans produce in

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accordance with a limited division of labor and then bring to market the products of their own labor. (This is a version of what Engels called "simple commodity production.") In such a society, inequalities of wealth might arise, which, as in all market societies, translate directly into inequalities in social power as defined here but which do not necessarily imply inequalities in authority (in the power to issue commands and to have them obeyed). The reason that inequalities in wealth do not amount to inequalities in authority in the Golden Age is that in it one particular commodity, labor power, is not for sale. It is not that there are legal prohibitions on the sale of labor power in the Golden Age; rather, it is that the material independence of its inhabitants—the fact that each has her own access to the means of production—makes the sale of labor an unattractive prospect. This is why Rousseau, in explaining the rampant domination of contemporary society, places so much weight on the moment in his narrative when the Golden Age is replaced by social relations in which growing inequalities made it appear advantageous for one individual "to have enough provisions for two," with the consequence that "equality disappeared, property was introduced, work became indispensable, and . . . slavery and misery were soon seen to germinate and grow" (DI, 167/OC 3, 171). To put the point in terms that Rousseau did not have at his disposal: it is only in societies where a specific type of inequality—class inequality—is widespread that the identification of disparities in wealth with domination, or rule over others, is complete.

There is a second reason that inequalities in wealth occupy a privileged position in Rousseau’s social critique. It, too, can be traced back to the specific socio-economic context in which he is writing, and it points to a further respect in which inequalities in wealth for him bring together the other three forms of social inequality. The point here is not that wealth consists in relations of recognition, social power, and authority but that the extension of commercial society’s reach makes it increasingly the case that wealth also serves as the primary means for attaining status, social power, and authority in its non-economic forms. In addition to being a form of recognized standing, social power, and authority, wealth in commercial societies also becomes the principal route by which individuals achieve those goods in nearly all their
non-economic forms. In such societies possessing large amounts of wealth relative to others’ is
the principal way of achieving social esteem more generally, as well as of gaining power and
authority even in extra-economic domains. Political authority, for example—the ability to
command the obedience of others via mechanisms of the state—can be had in most forms of
commercial society as a consequence of great wealth. Again, this tendency for economic
inequality to become the basis of all other forms of social inequality, however powerful within
capitalism, is not a feature of every society that allows for private property, and, as the example
of the Golden Age is meant to show, it is not a necessary consequence of market relations per se.
One of Rousseau’s challenges in *The Social Contract*—addressed later by Hegel in *The Philosophy
of Right* and by Rawls in his remarks on property-owning democracy—is to figure out how a
society with private property and some version of a market economy might be structured such
that inequalities in wealth do not infiltrate all social domains and produce objectionable
inequalities in non-economic forms of status, power, and authority.

*The artificial character of social inequality*

I turn now to the second claim of Rousseau’s ontology of social inequality, namely, that
it is artificial, or conventional, in “origin,” where this means, broadly, that it is our creation
rather than nature’s. This formulation is fine as far as it goes, but when we ask how more
precisely Rousseau’s claim is to be understood, we soon discover that ‘artificial’ and
‘conventional’ (like their counterpart ‘natural’) must be carefully defined if Rousseau’s claims
are to be coherent and plausible: ‘artificial’ means human made, but in what sense are our social
institutions made by us? ‘Conventional’ here means grounded in human agreement or in
collective consent, but in what precise sense?

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* There is a historically influential conception of privilege from which it follows analytically that
privileges are artificial: privileges are granted advantages, established or posited by human law.
* In their most general meanings the terms are neither synonymous nor mutually implicating.
There are things that are artificial, or humanmade (an automobile, for instance), that are not
conventional in Rousseau’s sense (not dependent on collective consent). But as Rousseau uses
the terms, in the realm of genuinely social phenomena something is artificial only if
conventional, and vice versa.
In English [in French?] 'convention' sometimes suggests arbitrariness, as in the thought that it is a matter of "mere" convention whether traffic rules mandate driving on the left or the right. In this context 'conventional' implies that there is no reason for adopting one rule over the other and that, from the perspective of what is rational, we could just as well adopt one convention as the other. (Of course, that we adopt one of the alternatives, no matter which, is not conventional in this sense.) As Rousseau uses the term, 'conventional' does not imply 'arbitrary'. The laws of a well-governed state, for example, are conventional but not arbitrary. Nevertheless, something close to arbitrariness slips into Rousseau's conception of the conventional, namely, the idea that if X is conventional, then it could have been otherwise, where this means that there is nothing in the basic constitution of nature (including human nature) that necessitates X's being or its being as it is. Thus, conceiving of social inequality as conventional implies not only that the various inequalities of our social world could have been otherwise but also that nothing in nature requires that there be any social inequality at all. The rules that govern private property in 18th-century Geneva are conventional in this sense, whereas the fact that 18th-century Genevans are self-interested beings—motivated by self-love, or amour de soi-même—is not conventional but due to nature.

For Rousseau, if something exists that is not necessitated by nature, then there is only one other type of origin it can have: the freedom of human agents. More, precisely, whatever is conventional in Rousseau's sense is also artificial, or human made, meaning that it could not have come about (as it is) without the intervention of human will at some point in its causal history, where Rousseau takes human will to be metaphysically free in the sense that its choices are not determined by laws of nature. Freedom, in other words, is implicated in the origin of everything that could have been otherwise. Thus, the property rules of 18th-century Geneva could have been otherwise because their existence depends, somewhere along the line, on the intervention of free will. It is important to Rousseau's position that thinking of a given property

"In the power of willing . . . only purely spiritual acts are found about which nothing is explained by the laws of mechanics" (DÍ, 141/OC 3, 142).
code as having its origin in freedom does not imply that at some point a human will consciously chose or created that code in the specific form it now has. All that is implied is that human freedom intervened at some point in that code's causal history and that in the absence of such intervention that code could not have come about. This point is crucial to the story the Second Discourse tells about the origin of social inequality: the practices and institutions17 that come to produce social inequality are not themselves consciously chosen or intended; rather, they are the results of complex developments, some of which depend on human choices but such that, when joined with natural events that accompany them, the long-term consequences of those choices are not foreseen, and therefore not intended, by any human agent. To take an example of Rousseau's: freedom is involved when for the first time someone encloses a piece of land and says "this is mine" (DI, 161/OC 3, 164), but no one intends either the existence or the consequences of the system of private ownership that ultimately develops from this free act. The Second Discourse makes humans causally but not morally responsible for social inequalities since the choices on which such inequalities depend are made without foresight of the chain of developments they initiate. Thus, however 'conventional' is to be interpreted, it does not imply explicit, conscious consent on anyone's part to the institutions that ultimately come to exist. Humans create their social world freely, but they do so in ignorance of the systematic consequences of what they freely do. A fitting epigraph for the Second Discourse might have been: "Father, forgive them, for they know not what they do."18

Thus far I have treated Rousseau's claim that social inequality has its origin in human will in a way that takes 'origin' in its commonest meaning: social inequalities could not have come to be without the intervention of human freedom. But this is not all, or even the most important part, of what Rousseau means to assert by that claim. In addition, he means that

17 It is natural to distinguish practices from institutions and to think of both as possible sources of inequality. When discussing Rousseau's position I will use both words without taking either to be a technical term. Searle, in contrast, uses 'institutions' in a technical sense to refer to what we would commonly call practices and institutions, and I will respect that usage when describing his position; John R. Searle, The Construction of Social Reality (New York: The Free Press, 1995), 27-29.

social inequality has its source in human will in a sense that does not refer to how such inequality first entered the world. One could understand this claim as asserting that freedom ("consent") is a standing force that sustains, or explains the continued existence of, social inequality, much like the St. Marys and St. Joseph Rivers are the sources of the Maumee River, or like anti-union legislation is a source of poverty in the U.S. today. This use of 'source' brings us very close to what Rousseau means to assert about the relation between freedom and social inequality, but a more exact rendering of his claim is: social inequalities are our doings, and therefore artificial, because our free activity is constitutive of them: the continued existence of social inequalities depends on our ongoing participation in them because free collective consent is (partially) constitutive of the practices in which those inequalities are embedded. But what does this mean, and how could Rousseau believe it?

In order to explicate this claim, it will be helpful to return to a point I made earlier in discussing the respect in which social inequalities are privileges, namely, that a person's being wealthier, of higher status, or more socially powerful depends on the participation of others, including of those in comparison to whom that person is wealthier, of higher status, or more powerful. (Recall: status must be bestowed by another; authority requires that others obey, and social power requires that a plurality of wills be competing for the same goods.) That social inequalities are possible only within networks of agency among those who are subject to them makes them practical phenomena in at least the sense that they cannot exist apart from what humans do, or from the social participation of those who stand in relations of social inequality to one another. This makes social inequalities artificial in a sense different from the one explicated above (that the institutions in which they exist are created, in part, through human agency): unlike differences in height or age, social inequalities are sustained only through human activity; to be richer or more honored or more socially powerful is to stand in an ongoing practical relation to others. Social inequalities are human practices!

*Rousseau uses 'source' in this sense at DI, 124/OC 3, 122; it is the sense in which he claims that social inequality does not have its source in human nature.*
Even if these considerations suffice to explain why social inequalities are artificial, they do not yet explain why they are conventions in Rousseau’s sense, that is, sustained by collective consent or agreement. The claim that social inequality has its source in consent—the consent of the very individuals who stand in relations of inequality—is initially puzzling. It can seem perverse to claim that social inequalities exist because the poor, the oppressed, the dominated, and the looked-down-upon have consented to the wealth, power, authority, and status of those above them in the social hierarchy. (On the other hand, this doctrine contains an emancipatory moment, too: if the worse off participate in their disadvantaged condition, then they may also have the power to withdraw their participation and hence to undermine or transform the practices that disadvantage them.) In any case, Rousseau’s exact words regarding consent are worth noting: social inequality is "established, or at least authorized, by [human] consent" (DI, 131/OC 3, 131; emphasis added). That Rousseau shifts from talking about how inequalities are established to talking about how they are authorized is a clear sign that he is less concerned with the historical origins of inequality than with how and why, once inequalities exist, they are maintained over time. His claim, then, is not that social inequalities first enter the world through human agreement but rather that their continued existence depends on a kind of collective consent that "authorizes" them. That authorization is crucial to maintaining social inequalities implies that, in contrast to the non-moral realm of nature, they are intrinsically normative phenomena. Social inequalities are normative in the sense that they are embedded in institutions the existence of which depends on their participants’ acceptance of them, where such acceptance in some way authorizes—or, in Weber’s terminology, legitimizes—those institutions. Hence the collective acceptance or consent at issue here is in some way normative in character. Later I will say more about this point, but for now it is sufficient to think of consent as encompassing a range of normative attitudes, grounded in beliefs regarding, for example, the usefulness or goodness or legitimacy or naturalness of the relevant institutions. To say that social inequalities are authorized by consent in this sense does not imply that they are in fact

*This term is Searle’s, who also refers to "collective agreement"; Searle (1995), 39.*
legitimate or justified; it means only that they are taken to be so by those subject to them and that this authorization plays a crucial role in maintaining them. In other words, the most important respect in which social inequalities are human made is that in the absence of our authorizing consent they would cease to be, and in this respect they depend on our own doings in a way that natural inequalities do not.

This reveals an important sense in which social inequalities are moral rather than merely natural phenomena: the practices that sustain them are maintained mostly not by brute force but by a (tacit or explicit) consensus that they are justified or good or natural (or at least not deserving of critique). When workers in capitalism perform their eight or more hours of labor, day in and day out, without sabotaging their employers’ property or appropriating it for themselves, they typically do so not primarily because they fear the state’s power to enforce existing property laws—though one should not forget that such power stands constantly in the background, ready to crush those who might dare to violate those laws—but because at some level they accept, perhaps unquestioningly, the legitimacy or naturalness of the social arrangements that make it necessary for them to work for their survival while others have sufficient wealth to live without laboring and to enrich themselves from the fruits of others’ labor. This point is bound up with what Rousseau (plausibly) takes to be a general truth about human social life: institutions that depended primarily on physical force, without any belief in their legitimacy on the part of those who participate in them, would be highly unstable and inefficient, not least because a large part of society’s resources would be have to be spent in maintaining oppressive mechanisms of coercion so that its members would perceive those mechanisms as inescapable.

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¹ Hence, ’authorized’ here has a different sense from its meaning in the question posed by the Academy of Dijon as to whether social inequality is "authorized by natural law." This question asks not whether anyone believes in the legitimacy of social inequality but whether, apart from the actual opinions of humans, natural law in fact legitimizes it.

² By the same token, asymmetric power relations between men and women seldom depend primarily on men’s having superior physical power at their disposal; they typically also depend on the belief of those who participate in those relations, including many women, that patriarchal rule is natural or appropriate.
Rousseau calls social inequalities artificial because we, rather than nature, *make* them (in the sense that our normative beliefs actively maintain them). He calls them conventional because *we* make them—that is, collectively rather than as individuals. It is significant that Rousseau calls the consent that sustains social institutions, and the inequalities they give rise to, "conventions," from *convenir*, which implies a coming together, or agreement, of a plurality of wills, or of a plurality of opinions regarding the goodness (or acceptability) of such institutions. This means that social inequalities are grounded in social practices not only in the sense that they presuppose ongoing networks of practical engagement among social members but also in the sense that they presuppose a *normative community*, that is, some degree of agreement among social members regarding the point or the goodness (or the naturalness) of the practices they collectively sustain.

Let us think more about the sense in which the authorizing consent that Rousseau takes to be the source of social inequalities is normative in character. It may be helpful to begin by considering John Searle's account of the artificial—or "constructed"—character of social reality, for his account overlaps in important respects with Rousseau's ontology of social inequality. The similarity between the two views is most visible in Searle's thesis that "collective agreement or acceptance [or sometimes: recognition²] is a crucial element in the creation of institutional facts" or, more precisely, that such acceptance is partly *constitutive* of social reality.³ (Translated into Rousseau's terminology: the practices and institutions within which social inequalities are embedded have their origin in collective consent.) Even though Searle's conception of the acceptance that is constitutive of social institutions is relatively undeveloped,⁴ his account of social reality is a good place to begin in reconstructing Rousseau's view that collective consent is the source of social inequality.

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³ Searle (1995), 39 (emphasis added); 33. Although Searle distinguishes social and institutional facts—the latter is a subclass of the former and requires collective acceptance (38)—he often uses 'social reality' to refer to human social reality, in which institutional facts play a major role (xi).
⁴ This is expanded on a bit in Searle (2010), 8.
One reason the idea of acceptance might seem vague in Searle’s work is that, in contrast to Rousseau, his aim is to give a completely general account of social reality that applies to a wide range of “institutions” from cocktail parties and restaurants to states and economic practices. It is no surprise, then, that in order to account for a large number of diverse phenomena, he invokes a very broad notion of acceptance. This is not necessarily a defect of Searle’s position, but it points to an important difference between his project and Rousseau’s. Whereas Searle focuses on the ontological question of what social reality is (what mode of existence it possesses) and how it differs from physical reality, Rousseau’s main interest is normative social philosophy, where the central question is ‘what kind of institutions are required for a good social life, one that promotes the freedom and well-being of its members?’.

For this reason it is also unsurprising that Rousseau has little to say about cocktail parties and restaurants and focuses instead on the institutions he takes to be most important in securing the social conditions of human well-being: the state, of course, but also economic institutions (in the Discourse on Political Economy) and the nuclear family. (It is no accident that Rousseau’s conception of the "basic structure" of society includes versions of the same institutions that his two closest disciples, Hegel and Rawls, put at the center of their social thought.)

In attempting to determine what kind of authorizing consent these institutions depend on for Rousseau, let us begin with Searle’s claim that social reality is inherently normative or, as one might say, a "normative order." Normativity enters Searle’s account of social institutions in two places, each of which corresponds to one of the three fundamental "building blocks of social reality," namely, in the centrality of rule following to social reality and in the functional character of social institutions. (The third building block, collective intentionality, is relevant to the collective character of the consent that authorizes social practices for Rousseau.) The dual normativity of social reality is reflected in the two types of normative critique that Searle’s

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* The term comes from Rainer Forst and Klaus Günther, eds., *Die Herausbildung normativer Ordnungen: Interdisziplinäre Perspektiven*, vol. 1, (Frankfurt am Main: Campus, 2011).
account allows room for: individual members can be criticized for failing to follow the status-assigning constitutive rules of an institution (as when I try to buy a subway card with a xeroxed twenty-dollar bill), and institutions can be criticized when they fail to carry out their defining functions or do so poorly (as when a restaurant inattentively serves mediocre food in an unappealing setting). The first point is relevant to Rousseau's notion of consent because rule following, as opposed to behavior that conforms merely "externally" to rules, involves some type of acceptance or recognition of the rules in question, where, as I have indicated, Searle allows for a wide variety of phenomena to count as acceptance, including: acceptance of the grammatical rules of one's native language, of the implicit conventions governing cocktail parties, and of codified laws governing marriage or the acquisition of property. Clearly, the sense in which one accepts the rules of one's native language will typically be much thinner than the sense in which one accepts the rules of marriage in saying "I do."

One noteworthy feature of Searle's account is that it posits a very close connection between the two aspects of normativity distinguished above. Searle insists, plausibly, that, whatever form of acceptance of institutional rules is at stake, it is logically related to an understanding, perhaps inchoate and implicit, of the function or "point" of the institution in question and hence of what makes an institution or a participant within it a better or worse instance of what, within social reality, we have "constructed" it to be. The close logical connection between these two forms of normativity is ultimately due to the functional relations that unite all three of the institutional building blocks distinguished by Searle into a kind of system: "the function requires the status in order that it be performed, and the status requires collective intentionality, including a continued acceptance of the status with its corresponding function. . . . [T]here is a functional implication carried by the description of [an] object as having a certain institutional status, as shown by the fact that categories of assessment are appropriate under the status described that would not otherwise be appropriate. To be a

"Acceptance . . . goes all the way from enthusiastic endorsement to grudging acknowledgment, even the acknowledgment that one is simply helpless to do anything about . . . the institution;" Searle (2010), 8.
husband or a citizen is already to have the possibility of being a 'good' or 'bad' husband or citizen. In other words, the collective acceptance of an institutional rule that assigns a certain deontic status X to an individual Y implies the possibility of judging that Y is a (functionally) good or bad executor of X (a 'good' or 'bad' husband or citizen). At the same time, an understanding of what makes Y a good or bad X implies some conception of the function or point of the institution itself within which Y becomes an X in the first place. Any description of what it is to be a good husband is logically inseparable from an account of what a good family is—and hence of what the function(s) or point(s) of family life are—and vice versa. Accepting a status-imposing institutional rule implies an acceptance of normative standards that specify both what it is for an individual to carry out her institutional status well and what the function or point of the institution itself consists in. To understand what a good husband (or citizen) is is to know something about what a good family (or state) is.

Social participants' understanding of the functions of their institutions and hence of what makes someone a good or bad participant in them is relatively explicit and normatively thick when adults self-consciously decide to marry, but Searle's claim also holds when acceptance is tacit and thinner: even native speakers follow, and therefore accept, the rules of their mother tongues because they know, or could come to see, that doing so has a point (is necessary if there is to be communication). Even if such acceptance is purely instrumental (I need to follow the rules of grammar if I am to communicate), it is bound up with at least a tacit (and usually partial) understanding of what language "is for." And the same is true when someone opposed to all forms of private ownership follows the constitutive rules for grocery shopping merely because at the moment there is no other way of acquiring the food she needs to survive. Here, too, participation in the institution of grocery shopping consists in the following of rules, and hence an acceptance of those rules, which itself implies some understanding of what that institution "is for." In both cases rule following implies an

*Searle (1995), 114. See also: "Whenever the function of X is to Y, X and Y are parts of a system . . . defined by purposes, goals, and values" (19); and "institutional facts exist only within systems of constitutive rules" (28).
acceptance of rules, which in turn makes a functional evaluation of the relevant institution conceptually possible: the native speaker is in principle in a position to appreciate how the grammar of her language facilitates communication, and the opponent of private property can recognize that some practices of grocery shopping might be better at accomplishing their purpose than others. These considerations reinforce the point that the bare notion of acceptance on which Searle's account of social reality depends is normative (grounded in some conception of what something is good for) while also normatively very thin: one can accept the rules of an institution in the relevant sense (recognize its constitutive rules as authoritative and grasp its point) without, all things considered, endorsing it as good."

Rousseau's ontology of social institutions relies every bit as much as Searle's on the thought that the collective acceptance essential to social reality can range from very thin forms of acceptance to normatively robust conceptions of what makes a certain institution good. (This might be taken to imply that there is a corresponding range of weaker and stronger senses in which we make our social institutions and the inequalities that flow from them.) For Rousseau the collective consent that grounds inequalities consists in holding more or less conscious, and more or less complex, beliefs regarding (in my words) the acceptability of existing institutions and, corresponding to that, the appropriateness of participating in them. The reason Rousseau regards such beliefs as consent—as a free assenting to the institutions in question—is that he takes our beliefs (or "opinions") to depend on our freedom. Rousseau is influenced here by the Stoic claim that holding a belief requires an active assent to the proposition that such-and-such is the case, but his view might be better formulated as the claim that holding a belief implies a responsibility for what one believes and that belief therefore is possible only as free belief. Part of Rousseau's thought must be that our beliefs, even when vague or tacit, are up to us in the sense that it is within our power as cognitive agents to reflect on their adequacy and then, in light of that reflection, to abandon or revise them. But there is a deeper reason as well for connecting "opinions" so closely to freedom: part of what it is to hold a belief is to take oneself to be

\footnote{See note 29.}
responsible for it in the sense of being committed to subjecting it to rational norms and therefore to revising or rejecting it when it fails to satisfy those norms. In this case, belief implies freedom not only because we have the power to modify or abandon the beliefs we have but also, and more fundamentally, because to have a belief is to take oneself to be subject to norms of rationality and, as Kant pointed out (though this idea can be found already in Rousseau\textsuperscript{32}), taking oneself to be constrained by norms in one's thinking and willing is the mark of free subjectivity. It is primarily because of this connection between belief and freedom that Rousseau regards our acceptance of social institutions as consent and the inequalities that flow from them as artificial. Social inequalities are the sort of thing whose existence relies on the free participation of those subject to them; they are, if not created intentionally, at least actively perpetuated by the "consent" of their participants, including the very beings who are disadvantaged by them.

There is a further reason to regard social institutions as dependent on human freedom that neither Rousseau nor Searle explicitly acknowledges but that ought to be congenial to both. It follows from a Rousseauian consideration that Hegel appropriated to great effect: in many cases—and especially when a society's basic institutions are at issue—the well-functioning of an institution depends on its participants having a fairly substantive grasp of the point(s) of the institution they participate in, as well as a more robust endorsement of it than is implied by the bare notion of acceptance. This is because the constitutive rules of most institutions are not so thoroughly determinate that they can be applied to specific circumstances automatically, without interpreting those rules so as to apply to the specific situation at hand. One fails to parent, for example, if one regularly puts one's own particular good before that of one's child's, but it is not always clear what specific behaviors are implied by the rule that the child's good comes first. In such situations a parent cannot follow the constitutive rules of childrearing—or

\textsuperscript{32} Savoyard vicar.

\textsuperscript{33} It might be thought that 'put the child's good first' is not a constitutive rule of childrearing but a rule for accomplishing that task well (and similar therefore to 'never leave one's queen unguarded' in chess). But in family and political life—in institutions where achieving the good
cannot follow them in the way the well-functioning of the institution requires—unless he not only has a good grasp of what the point(s) of child-rearing are but also endorses the ends of the institution sufficiently that he is motivated to reflect responsibly on what those ends require of him in specific circumstances. This is true not only for families but also for cocktail parties, but there are other institutions—money, for example, or language itself—whose functioning depends far less on its participants' interpretation of their institutions' constitutive rules and on their endorsement of them as good.

In the case of a society's basic institutions, the point of the institution that must be grasped by its participants if it is to function well includes a relatively robust understanding of the good that institution aims to realize, where 'good' includes an ethical component that makes talk of the institution's "function" seem inappropriate or at best misleading. This means that in the case of a society's basic institutions, authorizing consent requires thicker normative agreement, and a more substantive normative community, than is the case for carpools, restaurants, cocktail parties, and bowling leagues. Carpools and restaurants require agreement on less comprehensive conceptions of the good than do families and Rousseauian democracies; cocktail parties and bowling leagues require agreement with respect to very specific aspects of the good, but such agreement is normatively shallow in the sense that, compared with the agreement required in the basic institutions, participants' attachment to the goods realized by their cocktail parties and bowling leagues is typically (necessarily typically) much less deep than their attachment to the goods they take themselves to pursue by participating in family, economic, and political life. In general, members of these institutions must take the latter to aim at goods that are of especially deep importance to human flourishing: a good parent, a good plumber or nurse, a successful citizen must recognize the aims of the family, of economic life, and of the democratic state as much more significant than those achieved in cocktail parties and

is intrinsic to their point or function—this distinction is not so clear, as ordinary language attests: we say of a father who regularly fails to put his children's good first "he isn't really a father to his children." Rahel Jaeggi makes this (Hegelian) point in Kritik von Lebensformen (Berlin: Suhrkamp, 2014), 182-3.

" Because "functional" evaluations are often thought to bracket ethical considerations.
bowling leagues. A parent who thought of childrearing and cocktail parties as realizing goods of approximately equal value could not be a successful parent. This is because, first, the goods achieved in the institutions that comprise the basic structure are more important than those achieved in others and, second, family life, material production, and political self-rule are especially demanding undertakings that require inordinate amounts of time and energy for their success, as well as long-term commitments on the part of the individuals who engage in them.

Even though Rousseau believes that a well-functioning state, for example, requires a relatively robust form of collective consent, his account of the origin of social inequality includes consideration of a certain limit case (also acknowledged by Searle\cite{Searle2010}) in which consent to institutions takes its maximally thin form in the tacit assumption that a certain institution, as it now exists, is natural—either required by the basic make-up of nature or dictated by the author of nature, God—and thus not the product of contingent historical circumstances nor a possible object of critique or transformation. This is the view Rousseau accuses Locke and Hobbes of holding with regard to their conceptions of the state of nature (\textit{DI}, 132/\textit{OC} 3, 132).\footnote{Searle (2010), 107.} It is also the position that he himself (mistakenly) adopts with respect to the family (\textit{SC}, I.2.i). Rousseau’s claim is not that the patriarchal, nuclear family must exist wherever \textit{homo sapiens} is to be found but rather that, once certain civilizational developments have taken place, the family, more or less as we know it today, will also exist.\footnote{The state of nature is, of course, a social condition but not a social institution.} Belief in the naturalness of social institutions counts as a limit case of consent because it amounts to a tacit denial of the artificial and therefore mutable character of such institutions. Yet it remains for Rousseau a form of authorizing consent (just as for Searle the thinnest acceptance of institutional rules counts as recognition of their authority) because even the assumption of an institution’s naturalness involves an unreflective but free
believing that "authorizes" that institution and its rules. And for both philosophers, even this exceedingly thin form of acceptance is sufficient to make institutions artificial—something that we make or "construct."

Thus, 'artificiality', when applied to social institutions, implies for Rousseau two closely related features: that they could have been otherwise (and are in principle mutable) and that their ongoing existence depends on our free participation in them. It is worth noting that this conception of social institutions, together with the possibility that our authorizing consent might involve regarding them as natural and therefore not "up to us," opens the way for a distinctive type of social critique, of which precisely the Second Discourse is a paradigm example. (Searle's ontology of institutions leads him to acknowledge a similar possibility for social critique.)

If social inequalities can be authorized by consent that is grounded in nothing more than an unreflective sense that existing institutions are natural rather than our own contingent creations, then social critique can take the form of de-naturalizing genealogies of the sort that some of Rousseau's successors—Hegel, Marx, and Nietzsche—are known for. Revealing the artificial character of institutions previously regarded as natural can be a constitutive moment of critique, insofar as it strips them of their apparently immutable character and places them into the "space of reasons," in which they then appear as a possible object of critical evaluation. De-naturalizing genealogies of social inequalities are inherently critical in the sense that once the artificial character of inequalities is recognized by the persons whose belief in their naturalness sustains them—once their existence is shown to depend on a (deficient) form of tacit consent—they become, for those persons themselves, beliefs for which they are rationally responsible and with respect to which it now makes sense to ask, 'But are my

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* For Rousseau, regarding something as natural (derivable from nature's fundamental makeup) implies that it is good because nature's creator is a perfectly beneficent God. Even on a de-theologized conception of nature, however, where 'natural' does not imply 'good', regarding a social institution as immutable removes it from the space of critical evaluation and potential reform.

* Searle (2010), 107.
beliefs justified?’ and ‘Are the institutions that depend on my consent good, or as good as they can be?’.

The pervasiveness and "stubbornness" of social inequality

If we confine ourselves to what I have said thus far, it can look like Rousseau’s account of social inequality is mostly optimistic: social inequalities are phenomena that we create and that we are free to criticize and transform. Yet this conclusion is inconsonant with the overwhelmingly pessimistic tone of the Second Discourse, including its suggestion that our own society might already be so thoroughly corrupted that no remedy for the ills caused by existing inequalities is within our grasp. The pessimistic tone of the Discourse indicates that our understanding of its account of social inequality is seriously incomplete in the absence of an explanation of what makes inequality so resistant to attempts to eliminate it and, more fundamentally, so pervasive in the first place.

Whatever reasons underlie Rousseau’s pessimism, that attitude alone should caution us not to exaggerate the role that authorizing consent plays in sustaining social inequalities and thereby overestimate the transformative potential of social critique by itself. The Second Discourse is far from claiming that existing social inequalities depend only on a belief in their acceptability on the part of those who are subject to them and whose activities constitute and reproduce them. An important reason that consent alone does not account for the staying power of social institutions has to do with the substantial role that need and dependence, both material and psychological, play in human social life: because we are needy and dependent, we can rarely simply "opt out" of institutions that disadvantage us. That inequality-producing institutions are kept in place by more than their members’ belief in their acceptability is easiest to see in the case of economic inequality. Here, of course, the coercive power of the state plays a role, but material need and dependence are more important: even when some of us reject the legitimacy of existing property relations, the lack of economic alternatives, together with the fact that we and our families must eat today, goes a long way toward explaining why social
critique alone seldom suffices for real transformation. If the authorizing consent of significant numbers of individuals is necessary for the maintenance of social inequalities, need and dependence also conspire to ensure that the institutions that produce such inequalities have ample capacity to absorb, untouched, normative critique from within.

What makes Rousseau's position on the pervasiveness and stubbornness of social inequality especially interesting is that the need and dependence that explain the inertia of inequality-producing institutions are themselves taken to be largely artificial. This is because they are primarily the consequences of a distinctively human passion, *amour propre*, the workings of which depend on our freedom in roughly the same sense in which freedom is implicated in our beliefs regarding the acceptability of social inequalities: *amour propre* leads us to seek the valuing gaze of others, but valuing and wanting to be valued are inseparable from "opinions," both one's own and others', regarding the good. For our purposes the most important part of Rousseau's account of the pervasiveness and stubbornness of social inequality lies in his answer to the obvious question raised by the thesis that social inequality is artificial: if inequality is a human creation, what explains our nearly irresistible tendency to create it? Rousseau's strategy for answering this question is to locate a passion fundamental to human psychology, *amour propre*, that is capable of furnishing humans with a motive to seek out inequality for its own sake, rather than merely as a means to achieve other ends. *Amour propre* is a species of self-love that seeks respect, esteem, or recognition from others. It is Rousseau's version of what earlier philosophers called sociability in that it is the passion that makes social relations indispensable for humans. And at the same time it explains how we can be motivated to seek inequality within those relations.

The feature of *amour propre* that explains our penchant to seek inequality is its "relative" character, which, as noted above, is related to the robustly relative nature of the characteristics

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* Does this point hold for non-economic social inequalities? Systems of unequal status, too, can survive a certain amount of normative rejection when they provide those with lower statuses some degree of recognition. Some have appealed to this idea to explain why patriarchal relations are so resistant to reform.
in terms of which social inequalities are defined. In fact, *amour propre* is relative (to other individuals) in two respects, both of which track the respects in which wealth, status, social power, and authority were said to be relative above. The first of these is that the good that *amour propre* strives for—recognized standing—depends on, even consists in, the evaluative opinions of others. It is an intrinsically social good that directly requires the participation, or agency, of other humans, namely, their free valuing of the recognized individual, as expressed in both their beliefs regarding her and in their actions that give expression to those beliefs. If, as Rousseau postulates, *amour propre* is a fundamental passion of human beings, then the search for recognition will be a pervasive and permanent part of social life, and the fact that *amour propre*’s satisfaction requires the participation of others ensures that dependence, too, will be pervasive and ineliminable.

The second respect in which *amour propre* is relative explains why the quest for recognition can provide us with an incentive to create or maintain inequalities: to desire status or esteem is to desire a *comparative* standing in relation to others. In other words, the recognition that *amour propre* strives for is a positional and therefore a robustly relational good, where doing well for myself (finding the standing I seek) consists in doing well in relation to others (acquiring a standing defined in relation to theirs). This means that the extent to which I am satisfied in my desire for recognition depends on how well, or how badly, those around me fare with respect to their desire for the same. Once this feature of *amour propre* is introduced into Rousseau’s picture of human psychology, it is not difficult to understand how social inequality can be our creation. For when humans conceive of their good in comparative terms—when their own satisfaction depends on how much or how little of the same good those around them find—the possibility exists that they will seek to do well for themselves by trying to outdo others. In other words, the concern for relative standing is susceptible to becoming a desire for *superior* standing, and as soon as one takes the view that an affirmation of one’s own worth requires being esteemed not merely as good but as better than others, *amour propre* requires inequality in order to be satisfied.
It is important, however, that the relative standing sought by *amour propre* is not necessarily a superior one. If what *amour propre* leads one to seek is simply the respect one deserves as a human being—a respect one is willing to grant to others in return—then the standing one seeks is comparative but not superior: equal standing is still standing relative to others. Rousseau’s thesis concerning the malleability of *amour propre*—its susceptibility to being formed and re-formed through contingent conditions of many kinds, including social institutions—implies that the desire for equal standing is one possible configuration of our desire for recognition, but it is not the only or the most likely form that desire assumes. Indeed, part of the pessimism of Rousseau’s account of social inequality derives from his view that, although the desire for equal standing is a possibility for humans—a possibility *The Social Contract* and *Émile* exploit in devising solutions to the ills of social inequality—certain fundamental features of the psychological and social development typical of human beings conspire to make the desire for superior standing the most likely outcome of *amour propre*’s formation, its “default” state, as it were.

This view helps to explain why humans tend to create social inequalities of various kinds and why, once inequalities exist, they are so difficult to modify. But there is a further fact that explains the stubbornness of inequality: the social institutions we sustain through our own participation exert a major formative influence on us. Our desires, values, and self-conceptions are shaped by the social world we inhabit, including our desires for recognition (which, unlike certain other desires, are formed by and expressions of our values and self-conceptions). In general, social institutions reproduce themselves by producing agents who are subjectively formed so as to have desires that can be satisfied (or that appear to be satisfiable) only by participating in and reproducing those same institutions. Applied to *amour propre*: many institutions—think of the capitalist economy—reproduce themselves by instilling in their participants various forms of “inflamed” desires to achieve a recognized standing superior to

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* Already in its first appearance in the Discourse, *amour propre* manifests itself as a desire to be esteemed more highly than others—as “the handsomest, the strongest, the most skillful, or the most eloquent” (*DÍ*, 166/*OC* 3, 169). For more detail, see Neuhouser (2008), ch. 4.
others’. In such instances the need and dependence on which social life feeds become informed by and inextricably bound up with the (perceived) need of its participants to achieve superior standing. This results in a self-reproducing social dynamic that accounts for much of the resistance of established forms of inequality. Even if amour propre is in principle highly malleable, once it has assumed a certain form and is reproduced by institutions in that form, the cycle of inflamed amour propre is extremely difficult to break. Because amour propre engages us at the level of our values and self-conceptions, reconfiguring our desires for recognition—harnessing them to seek equality rather than inequality—requires a species of internal transformation that is notoriously difficult to bring about.

Rousseau’s account of the intimate relation between amour propre and social inequality implies that, if it is to be effective, critique of inequality-producing institutions must find a way of addressing already formed social members whose present values and self-conceptions give them strong incentives to resist the very social changes it aims to bring about. That is, effective social critique must find a way of bringing individuals to cease desiring the conditions of inequality they have been socialized to want to reproduce. Rousseau himself recognized this dilemma and was acutely preoccupied with it. One expression of his preoccupation can be seen in the fact that education plays a central role in both parts of his proposed remedy for illegitimate inequality: his account of good social institutions in The Social Contract reflects extensively on how such institutions form their members’ characters, and the domestic education he advocates in Émile aims at equipping individuals with the values and self-conceptions they need in order to inhabit and reproduce a well-ordered society. Although Rousseau thought seriously about this problem and tried to solve it, his ultimately pessimistic outlook comes from his recognition of its intractability. While my interpretation of Rousseau tends to emphasize the proto-Marxian elements of his position, on this point there is an important difference between the two: Rousseau is much more aware than Marx that solving the problems associated with inequality requires more than simply transforming society’s economic structure. In order to get from where we are now to a more equal social world (or,
more precisely, to a social world that secures the right types of equality), our values and self-conceptions must also be transformed such that we no longer seek to find confirmation of our value—no longer seek recognition—by occupying positions of privilege within schemes of inequality that disadvantage others. (And this difference helps to explain, too, Marx’s more optimistic outlook regarding the prospects for a progressive social change.) In this respect Rousseau’s account of the nature of social inequality teaches us an important, if also a sobering, truth about the challenges faced by attempts at social transformation.

Fred Neuhouser
Barnard College, Columbia University