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With or Without the *General Will*

ZORAN KURELIĆ

Faculty of Political Science, University of Zagreb

Summary

Author shows how the concept of the *general will* plays a central role in a certain type of liberal anti-totalitarian philosophy. Author confronts Talmon's and Berlin's criticism of the *general will* with Arendt's understanding of the French Revolution. Talmon and Berlin argue that the concept of the *general will* was responsible for the totalitarian character of the French Revolution. Author uses Arendt's comparison of the French and the American Revolution to ask a question: If the *general will* is intrinsically totalitarian does it mean that America is also totalitarian if one shows that for Madison and Hamilton the American constitution was the incarnation of the *general will*?

Key words: Hannah Arendt, Isaiah Berlin, Federalist Papers, general will, liberalism, J. L. Talmon, totalitarianism, French revolution, American revolution



Mailing address: Fakultet političkih znanosti, Lepušićeva 6, HR 10000
Zagreb. *E-mail:* zkurelic@fpzg.hr

In this essay I will show how the concept of the *general will* plays a very important role in a certain type of liberal critique of totalitarianism. I will compare Talmon's and Berlin's understanding of the French Revolution with Hannah Arendt's views on the Revolution. Talmon and Berlin believe that the French Revolution was totalitarian and that the concept of the *general will* played an important role in it.

I will also briefly present a few ideas from the *Federalist Papers*, especially Hamilton's argument about the importance of the judicial review. In my opinion this argument *de facto* uses a version of the *general will*. This essay consists of three segments: A – compares Talmon's and Berlin's criticisms of totalitarianism; B – shows Arendt's understanding of the difference between the French and the American Revolution; C – discusses the central ideas from the Federalist Papers No. 10 and No. 78.

If the domination of the *general will* is the key ingredient of totalitarianism, does it mean that America is also totalitarian if one shows that for Madison and Hamilton the American Constitution was the incarnation of the *general will*?

A

In this part of my essay I would like to present two liberal understandings of the French Revolution – Talmon’s in *The Rise of Totalitarian Democracy*, and Berlin’s in *Four Essays on Liberty* (especially in the essay ‘Two Concepts of Liberty’). I will start with Talmon and Berlin because I would like to compare their solutions with Arendt’s understanding of the difference between the French and the American Revolution.

At the beginning of his book Talmon makes a fundamental distinction – the distinction between empirical, liberal democracy on one hand, and totalitarian Messianic democracy on the other.

“The liberal approach assumes politics to be a matter of trial and error, and regards political systems as pragmatic contrivances of human ingenuity and spontaneity. It also recognizes a variety of levels of personal and collective endeavour, which are altogether outside the sphere of politics. The totalitarian democratic school, on the other hand, is based upon the assumption of a sole and exclusive truth in politics. It may be called political Messianism in the sense that it postulates a preordained, harmonious and perfect scheme of things, to which men are irresistibly driven, and at which they are bound to arrive. It recognises only one plane of existence, the political.” (Talmon, 1952: 1-2).

Both schools of political thinking insist on the value of liberty, but they understand it in a radically different way. For liberals the essence of freedom is the absence of coercion; for totalitarians freedom is actualised in the pursuit of an absolute collective purpose. The same notion has a completely different meaning, and one of the fundamental causes of that difference is the notion of truth. Talmon believes that the political Messianism has its foundation in the monolithic understanding of truth. The godfather of the totalitarian understanding of truth is J. J. Rousseau. The third chapter of Talmon’s book ‘Totalitarian Democracy (Rousseau)’ tries to explain how the damage was done. The concept of the *general will* is in the center of analysis. Talmon wants to show that, to Rousseau, the *general will* is something like a mathematical truth or a Platonic idea. It objectively exists whether recognised by people or not. What is totalitarian about it? Talmon answers: “Men and people have to be brought to choose freedom, and if necessary to be forced to be free” (Talmon, 1952: 42). One of the most important distinctions in *The Social Contract* is the distinction between the *general will* and the *will of all*. The *general will* regards only the common interest, while the *will of all* regards private interests and is in fact a sum of private wills. When the people are understood as a group of abstract, sufficiently informed, individuals who are not organised in interest groups and partial associations the will of the people and the *general will* be the same, says Rousseau, but unfortunately, that is usually not the case, and instead of dealing with the people, we have to deal with private interests of self-interested associations. Obviously, the *will of all* belongs to Talmon’s liberal democracy, and the *general will* is necessarily totalitarian, because it does not believe that the common good can be achieved “...when cabals and partial associations are formed at the expense of the great association” (Rousseau, 1961: 26). Talmon believes that the distinction between the *general will* and the *will of all* opened the door for totalitarianism, and that historically became obvious during the French Revolution. Two extremely important things happened during the

Revolution – the first one is the identification of the *general will* and Robespierre's party, the second one is the war against factions in the name of liberty. How did that happen? The *general will* objectively exists and it is identical with the interest of the people. Unfortunately the people can not grasp the *general will*. Jacobins can, which consequently means that Jacobins are the people. The *general will* is indivisible, and factions are standing in its way. They should be removed. Talmon quotes Saint-Just who says: "The fondest prayer a good citizen can pray for his country, the greatest benefaction a generous nation may derive from its virtue, is the ruin, is the fall of the factions" (Talmon, 1952: 116). Like their teacher Rousseau, Saint-Just and Robespierre thought that a faction was an expression of selfishness, and that it must be crashed. The logic of terror has its origin in the logic of Rousseau's philosophy. The circle is closed, what started as an ethical idea which insists on equal rights for all men ended up in a terror of chosen few. Talmon believes that the starting point, the idea of man per se, was wrong, because men understood as abstract individuals were not seen within their social setting, and they were supposed to spell out the *general will* not as members of groups, classes and parties but as individuals. That is the way towards plebiscitary democracy, which is a step from totalitarian democracy. The real problems began when the concept of popular sovereignty, in which people are understood as a sum of individuals, was actualised during the French Revolution. The people understood in that way simply do not exist, which consequently means that the people can not express the will of the people. In totalitarian democracy a group of citizens believes that it knows the *general will*, and that that particular knowledge gives to the group the political right to exercise power in the name of the people. When that happens with the consent of the people, as in France during the Revolution, we have a clear example of totalitarian democracy; of terror committed in order to achieve freedom.

Now I would like to present a few aspects of Isaiah Berlin's attempt to defend the liberal culture of the West. Berlin's essay *Two Concepts of Liberty* is theoretically very close to Talmon's book, but the logic of his argument is slightly different. Berlin does not make a distinction between liberal and totalitarian democracy, but his distinction between positive and negative liberty is equally interesting and important.

In Berlin's opinion the fundamental value of the liberal culture of the West is personal freedom, and it can not be found neither in the ancient Greek nor in Hegel's or Rousseau's philosophy. Only within the liberal tradition (Locke, Mill, Constant, Tocqueville), the frontier between the area of private life and the public authority is properly drawn.

Negative liberty secures the area within which the subject (a person or group of persons) is left to do whatever he wants without interference by other persons.

The positive understanding of liberty tries to answer the question "What, or who is the source of control or interference that can determine someone to do, or be, this rather than that?" (Berlin, 1991: 122). The distinction is important because Berlin wants to show that the positive understanding of liberty can end up in totalitarianism. That means that a totalitarian state can be based on the value of freedom. This way of thinking is completely Talmonian, that is why I would like to see what Berlin has to say about Rousseau and about the relationship between liberty and democracy.

If by coercion we understand the deliberate interference of other human beings within the area in which one could otherwise act, than we can say that being free in the negative sense means not being interfered with by others – freedom is absence of coercion. Rousseau's understanding of freedom obviously does not belong to the sphere of negative freedom. Does it belong to the sphere of positive freedom? "Rousseau does not mean by liberty the 'negative' freedom of the individual..., but the possession by all, and

not merely by some, of the fully qualified members of a society of a share in the public power which is entitled to interfere with every aspect of every citizen's life" (Berlin, 1991: 162-163). The French Revolution was "an eruption of the desire for 'positive' freedom", writes Berlin, and that desire was not looking for the protection of the individuals and their rights, but for political power and political liberation. The sovereignty of the people can easily destroy the sovereignty of individuals. The sovereignty of the people, or the sovereignty of the nation becomes the tyranny of the majority and the tyranny of the political sphere over the frontiers of private life. Democracy can be fatal for freedoms of individuals; popular government can crush individuals as successfully as monarchy, maybe even better. Berlin agrees with Constant who saw in Rousseau the most dangerous enemy of individual liberty. The problem is in Rousseau's idea that one by giving oneself to all gives oneself to none. Constant pointed out that even if the sovereign is 'everybody', 'everybody' can still oppress its own members. Democracy is rather a threat than a way to protect freedom.

Similarity between Berlin and Talmon is obvious. They both insist on the distinction between public and private sphere. The private sphere is the space of individual liberty and it should be protected from the political power which belongs to the public sphere. Totalitarian societies do not respect the barrier between the spheres; all relations are potentially political, and nobody's personal freedom is safe. Collectivism dominates over individualism, and the *general will* crashes individual, personal interests in the name of people, nation, or freedom. Something like the national interest, or the will of the people exists *a priori*, and the task of philosophers and revolutionaries is to recognise and to understand the objective will, and then to actualise the will in the real life. The actualisation of the *general will* is called revolution. Formally speaking there are no differences between Jacobins and Bolshevicks. Both parties claim to know the objective truth, and both parties believe that the fact that the ultimate knowledge is theirs allows them to use political power without any restraints. The consequences of their activity are known.

B

Hannah Arendt compared two great revolutions – the French and the American. From her point of view the French Revolution was a big historical failure, while the American Revolution was an outstanding success. In the first part of her book *On Revolution* Arendt wants to explain why the American Revolution represents a paradigmatic case of a successful revolution. The object of her criticism is primarily the French Revolution. However, in the second part of the book Arendt changes the direction of her criticism and tries to show that even the American Revolution did not secure the institutional space for a real political freedom. I will shortly present both arguments. First, what went wrong in France?

The aim of every revolution is freedom, writes Arendt, but the question is whose freedom? The answer is usually freedom of the people. The people or nation (which in the French Revolution means the same) are the sovereign. When Rousseau talks about the sovereign he means the people. The national sovereignty was supposed to replace the sovereignty of monarch. The highest source of power is not the king, but the people. The nation has a right to be free, and every man has the same right. The liberation should happen simultaneously; the liberation of the nation and the liberation of each man is one and the same. The starting point of the revolution in France was freedom – the freedom of the abstractly understood nation, and the abstractly understood man. But the reality was completely different. Arendt points out that the French people did not start the revolution to achieve the actualization of national sovereignty, but to escape

from poverty. The ideal of the Revolution was freedom, but the actual goal of the Revolution was happiness of the people. The social misery determined the course of the revolution. “It was under the rule of this necessity that the multitude rushed to the assistance of the French Revolution, inspired it, drove it onward, and eventually sent it to its doom... It was necessity, the urgent needs of the people, that unleashed the terror and sent the Revolution to its doom” (Arendt, 1990: 60). The terror was caused by the logic of events not by the logic of philosophy. This is a point which shows the difference between Arendt’s and Talmon’s (or Berlin’s) understanding of the French Revolution. Talmon saw the origin of totalitarianism in the *general will*, and his methodology was a genealogy of ideas, while Arendt tries to understand the appearance of terror within the logic of the actual historical situation. She, of course, knows the *general will* argument and sometimes uses it herself, but the fact that the French Revolution started in a country in which the social problems were fundamental is more important to her than the totalitarian potential of Rousseau’s philosophy. In fact the totalitarian aspect of Rousseau’s thinking was actualized because Rousseau was discussed and understood in a specific historical situation. The redistribution of the wealth, which was necessary in order to achieve the happiness of the people, caused the bloodshed in France. Poverty was the driving force of the French Revolution and it swallowed the ideal of freedom. It is sad, writes Arendt, that the revolution which ended up in a bloody mess has made world history, while the American Revolution, “so triumphantly successful”, remained an event of local importance.

What are the fundamental differences between the French and the American Revolution? The first one is obviously the presence (or absence) of poverty. The crucial reason for the success of the American Revolution was the absence of social misery. Before the Revolution, America was not a perfectly just society, but the differences between the rich and the poor were not as dramatic as in Europe. This is extremely important, believes Arendt, because the concept of freedom remained in the focus of the Founding Fathers, and it was not destroyed by the cry for social justice and happiness. That is the reason why the American Revolution ended up with a workable constitution, which is a second big difference between the revolutions. In Arendt’s opinion the American Constitution is the highest point of the Revolution. It is *telos* of the Revolution, because it secures the space of (and for) freedom. The French revolutionaries were less successful. The Jacobin constitution was changed and replaced a few years after its acceptance. One of the reasons for the failure of that constitution is the concept of the people on which it was based.

The concept of the people is the third big difference between the revolutions. For the Americans the people meant “a multitude of voices and interests”; for Jacobins the people was a body which consisted of abstract individuals who have their prepolitical natural rights. The American concept was realistic, the French was not workable. These are the fundamental reasons why the Founding Fathers finished their historical job successfully, and why the French Revolution failed.

In the first part of the book Hannah Arendt sounded like a person who was deeply impressed with the achievements of the American Revolution, that is why the change of the tone of her discussion, in the second part of the book, can be a bit surprising. The last chapter of the book is called *The Revolutionary Tradition and its Lost Treasure*. The American Revolution lost its treasure. What does Arendt understand by treasure? In order to answer this question I must shortly present two Arendt’s distinctions. Like Talmon, who made the distinction between liberal and totalitarian democracy, and Berlin, who insisted on the difference between positive and negative liberty, Hannah Arendt founded her theoretical operation on the distinction between liberty and freedom. Tal-

mon's and Berlin's distinctions are essentially telling the same thing; Arendt's distinction is trying to point out something completely different.

“It may be truism to say that liberation and freedom are not the same; that liberation may be the condition of freedom but by no means leads automatically to it; that the notion of liberty implied in liberation can only be negative, and hence, that even the intention of liberating is not identical with the desire for freedom” (Arendt, 1990: 29).

Liberty understood in the negative way is identical with the freedom of movement, it is like power of locomotion, writes Arendt, and it was not the goal of revolution. The notion of liberty can “cover” the concept of civil rights, but that is not what revolutions in France and America were about. The revolutions wanted to achieve freedom. Hannah Arendt does not hide that her understanding of freedom has its origin in Greek political thought. For the Greeks and especially for Aristotle the life of a free man needed the presence of others, needed the community of peers and the political space in which freedom can be exercised. Freedom is a political way of life; it is a public activity. Liberty is just a lack of oppression, freedom is activity.

The second Arendt's distinction is the distinction between power and violence. That distinction is necessary, because Arendt wants to say that political power is not a problem in itself. Power looks like violence when freedom is reduced to liberty, but that is a mistake, of course.

“[P]ower come into being when and where people would get together and bind themselves through promises, covenants, and mutual pledges; only such power, which rested on reciprocity and mutuality, was real power and legitimate, whereas the so-called power of kings or princes or aristocrats, because it did not spring from mutuality but, at best, rested only on consent, was spurious and usurped” (Arendt, 1990: 181).

Obviously in Arendt's theory power and freedom belong together. Power is a result of freedom; it is the outcome of the public, political activity of free citizens. Freedom (and the power of free and active citizens) is the lost treasure of the American Revolution. How did the American Revolution lose its treasure? Arendt's answer is very clear and surprising. The American Revolution lost its treasure because it did not secure a space where freedom could be exercised. The answer is surprising because the space of freedom should have been secured by the constitution, and the American Constitution was one of the reasons why the revolution in America was “triumphantly successful”. The constitution failed to provide the space of freedom, says Arendt, because it allows genuine political activities only to the representatives of the people, but not to the people themselves. The Constitution secures liberty not freedom. Freedom exists only for the elite; America is a version of aristocratic liberal society; it is liberal but not free. The formula “government of the people by the people” is replaced by the formula “government of the people by an elite sprung from the people”. Hannah Arendt wants to show that the operation (the revolution) was successful, but the patient (freedom) unfortunately died.

Is she Anti-Federalist? I will try to answer that question later. First I have to compare Arendt's philosophical solutions with Talmon's and Berlin's ideas. The fundamental difference is obvious, while Talmon and Berlin founded their criticism of totalitarianism on the distinction between public and private, and on the concept of negative liberty, Arendt's strongest point is criticism of the constitution which secured the negative liberty. They are all disgusted with totalitarianism, but Arendt passionately attacks a modern liberal society as well. The final object of her criticism is the starting point of Talmon's and Berlin's liberalism. Arendt's freedom is Berlin's positive liberty. She is

not afraid of the public power but of “the dangers of corruption and perversion” which arise from private interests, and she is certainly not afraid of democracy.

“What we today call democracy is a form of government where the few rule, at least supposedly, in the interest of many. This government is democratic in that popular welfare and private happiness are its chief goals; but it can be called oligarchic in the sense that public happiness and public freedom have again become the privilege of the few” (Arendt, 1990: 269).

I will come back to this comparison of Arendt and Talmon/Berlin, but I would first like to present a few ideas from the *Federalist Papers* No. 10, No. 51 and No. 78, with the help of Rousseau’s distinction between the *general will* and the *will of all*.

C

Faction is the most important issue discussed in No. 10. Madison believes that one of the biggest advantages of a federal union is its ability “to break and control the violence of faction”. Faction consists of “a number of citizens, whether amounting to a majority or minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community” (Madison, 1991: 78). Madison sees two methods of “curing the mischiefs” of faction – the first one is simply by removing the causes of faction, the second one is by controlling its effects. The causes of faction can be removed in two ways: by destroying the liberty or by giving to every citizen the same opinions, passions and interests. Consequences of both methods are fatal, writes Madison, because they destroy the natural diversity of human beings. “The diversity in the faculties of men from which the right of property originates, is not less an insuperable obstacle to a uniformity of interests” (Madison, 1991: 78). For Madison the protection of different faculties is the first object of government. Why? Because the essence of Lockean and liberal understanding of liberty is the free use of one’s faculties. The protection of property which is a result of the free usage of one’s faculties is what liberal government is actually about. But now we have a problem, because Madison uses the word faction in two ways: the first meaning of the word is the group of people whose activity is against the permanent interest of the community, the second meaning is any group of citizens with a defined interest. Had Madison said that any interest group was against the common interest he would have been forced to accept the removal of causes of faction as a proper method. An interest group becomes a faction in a negative way when it tries to use the institutions of the state to put forward its interests. The best way to do that is by acts of legislation, but no man is allowed to be a judge in his own cause, says Madison, and justice should impartially “hold the balance” between interest groups, not function in the interest of one of them. An interest group becomes a faction when it tries to change the rules of the game, when it tries to reshape the community in its own interest. I will return to this point later, first I must present Madison’s next step.

The causes of faction can not be removed which means that the second method (the controlling of the effects of factions) should be accepted. If a faction consists of less than a majority, the majority can defeat its “sinister views” by vote. But what shall be done when a majority is included in a faction? How to secure the public good and private rights against the majority? Pure democracy can not stop the majority (it is “incompatible with personal security or the rights of property”), but a republic can. Republic is a government based on the scheme of representation, which means that a small number of representatives is elected by the rest of citizens. Why is that so important? Because the chosen body of citizens may recognize the public good better than the peo-

ple themselves. This consequently puts out of the story the majority of population and that is what Madison wants. In No. 63 Madison defends Senate, he writes: “Thus far I have considered the circumstances which point out the necessity of a well-constructed Senate only as they relate to the representatives of the people. To a people as little blinded by prejudice or corrupted by flattery as those whom I address, I shall not scruple to add that such an institution may be sometimes necessary as a defense of the people against their own temporary errors and delusions” (Madison, 1991: 384).

Senate should protect citizens from their “irregular passions”, which means that Senate functions as an institutional form of national rationality. Passions belong to the people; reason belongs to the representatives of the people.

That is the first way to protect liberty. The second solution is to create a state over a large area. In a big republic a greater variety of parties and interests will exist, and it will be difficult to form a majority faction. In No. 51 Madison repeats his ideas from No. 10 and tries to explain them in the clearest possible way. He describes both methods of protecting liberty from faction again.

“The second method will be exemplified in the federal republic of the United States. Whilst all authority in it will be derived from and depended on the society, the society itself will be broken into so many parts, interests and classes of citizens, that the rights of individuals, or of the minority, will be in little danger from interested combinations of the majority” (Madison, 1991.: 324).

About the representative government Madison writes: “But what is government itself but the greatest of all reflections on human nature? If men were angels no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the greatest difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself” (Madison, 1991: 322).

The self-control of government was not discussed in No. 10. One aspect of that self-control, the relationship between legislature and judiciary is particularly interesting within the context of this essay, especially Hamilton’s ideas presented in No. 78.

At the beginning of No. 78 Hamilton points out the essential role of judiciary; it should function as a barrier to “the encroachments and oppressions of the representative body”. Judiciary is, writes Hamilton, the least dangerous to the political rights of the Constitution, because the power of judiciary is much smaller than the power of executive (which holds the sword of the country) or the power of legislature (which holds the purse). The judiciary does not have either force or will, but merely judgement. This is a very important statement. The power of the judiciary is based on judgement which means that the judiciary represents the most rational part of government. In previous papers Madison identified government with reason, in No. 78 Hamilton goes even further. The judiciary is the only part of government capable of protecting the Constitution. It must be said that the President’s veto was originally designed to protect the Constitution, which means that the judiciary is not the only power that protects the Constitution, but, for Hamilton, it is certainly the most important. He believes that legislative act contrary to the Constitution are not valid, which is not surprising, but the way in which Hamilton defends the right of the judiciary to protect the Constitution is quite surprising. He writes: “If there should happened to be an irreconcilable variance between the two ... the Constitution ought to be preferred to the statute, the intention of the people to the intention of their agents” (Hamilton, 1991: 467). Does that mean that the Constitution represents a formal actualization of the permanent interest of the community? Yes.

“Nor does this conclusion by any means suppose a superiority of the judicial to legislative power. It only supposes that the power of the people is superior to both, and that where the will of the legislature, declared in its statutes, stands in opposition to that of the people, declared in the constitution, the judges ought to be governed by the latter rather than the former” (Hamilton, 1991: 467-468).

In the first step the people surrendered their power to the representatives of the people; the job of the representatives was to protect the people from people’s passions. Now Hamilton says that the judiciary should protect the people against their protectors in the name of the people’s will. The will of the people does’t belong neither to the people nor to the representatives of the people, because the will of the people is the Constitution. The Constitution is the *general will*. It is the objective good whether the representatives of the people recognize that or not. Madison agrees that the will of the people does not belong to the people, and that is obvious in No. 49 in which he argues with Jefferson. Jefferson was not afraid of the people, he believed in the “collected wisdom of the nation” and in “the common reason of the society”. He thought that every generation should have the right to create its own constitution, and to change the constitution written by previous generations. Madison admits that the people are the only legitimate “fountain of power” but, unlike Jefferson, he insists on stability. The trust in the people is for Madison the trust in passions, and they should be controlled by government. Madison and Hamilton are essentially conservatives, and the Constitution is for them an instrument of conservatism. Faction is a group of people who want to change the order of the society. The Constitution is there to stop them. Had they wanted Hamilton and Madison could have used the distinction between the *general will* and the *will of all* without any problems. The distinction fits into their theory almost perfectly.

Now I can go back to Arendt, Talmon and Berlin. What are the consequences of my analysis for their discussion? If the *general will* can function within the theory of the Federalists, and I believe that it can, then mere existence of the *general will*, and the group of people who believe that they know the *general will* does not automatically lead to totalitarianism. It can not be proved that the concept of the *general will* itself has totalitarian consequences. That means that Hannah Arendt was right when she insisted on the social and historical context of the revolution. The fundamental difference between the revolutions is not the presence or absence of Rousseau’s philosophy, but the presence or absence of poverty. On the other hand, her criticism of the American Revolution, presented in the last chapter of her book, is wrong, because the American Revolution did not lose its treasure. It did not lose it simply because the treasure was never there. The Founding Fathers were not searching for freedom but for liberty. They shared Madison’s understanding of liberty, and that is one of the reasons why he played such a big role in the making of the Constitution. Arendt tried to read into the American Revolution her understanding of freedom, but philosophical heroes of the American were British liberals not Aristotle. Finally, is Arendt an Anti-Federalist? She is not. From her point of view, Anti-Federalists are not much better than Federalists. It is true that *Brutus*, *The Federal Farmer*, and others insisted on democracy, but one of their strongest arguments was that the new state is going to be too powerful, and that it can become a threat to individual civil rights. Their starting position was negative liberty. The difference between Federalists and Anti-Federalists is not the difference between liberty and freedom, but between federation and confederation (said in our language, of course). The difference between them is not essential but technical. Like Talmon and Berlin they all believed in liberty. Arendt’s thinking has radical consequences, because she must insist on rewriting of the American Constitution. Jefferson is probably the Founding Father whose thinking is the closest to Arendt’s ideas.

Rousseau's ideas can be used on both sides of Atlantic. He is not a totalitarian thinker. The *general will* does not have to be identified with the party; it can be identified with the liberal constitution, written in the name of the people.

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