Jean Bodin, John Locke and Jean-Jacques Rousseau. On the paradox of sovereignty and democracy and the attempts at solving it.¹

The article elaborates on one of the most important issues in the modern theory of sovereignty, an issue acknowledged, in particular, in considerations by Jean Bodin, namely the sovereignty-democracy paradox. From the point of view of the thinking of the author of Les Six livres de la République (Six Books of the Commonwealth), a people’s political system, which is to say, a democracy in the wide sense of the word, is problematic, because it places the people in the troublesome, dual role of being both superior and subjects, thus infringing the logic of superiority-subordinacy which is characteristic of sovereignty. The problem of superiority relationships defined in this way may provide convenient analytical categories for the scrutiny of the later attempts at justifying the rights of the people, undertaken, in particular, by John Locke and, first and foremost, by Jean-Jacques Rousseau. In this respect, the article demonstrates that it was the author of Two Treatises of Government who contributed both to setting the doctrine of democracy on more solid ground and to a breakthrough in the limitations of earlier concepts of the sovereignty of parliament. It is, however, in the considerations by the author of Du Contract Social ou Principes du Droit Politique (Of the Social Contract, Or Principles of Political Right) that we find the most lucid proposal of a solution to the paradox discussed in the article. It was thus Rousseau, unbound by the tradition of a mixed constitution, who pointed to the full extent of the supremacy, namely the legislative power of the people, making a more precise distinction between them and the executive function of the government. Contrary to the doubts expressed by Bodin, it is this formula which makes possible the unquestionable acknowledgement of the dual role of the people, opening the door to a greater extent than Locke, onto making the principles of sovereignty and democracy more concordant.

Tags: sovereignty, sovereignty of the people, contemporary political thought, Bodin, Locke, Rousseau

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