

The Nation as a Tool to regulate Markets? Rousseau's and Fichte's social philosophy re-examined

1.) Introduction

The mainstream left liberalism has a dilemma to solve: On the one hand, many leftists criticize neo-liberalism, and its most extreme social consequences; but on the other hand, expressed simplified, many of those progressive movements have a cosmopolitan attitude. Even when those cosmopolitan actors are classified as politically left, they are not internationalists in a Marxian sense. Cosmopolitanism does not just need a civic liberalism, but economic globalisation as well. The consequence is an expansion of global markets and global exploitation. Left liberals criticise the last aspect without criticising globalism and cosmopolitanism per se. However, as Jean-Claude Michea (2009) has pointed out, such positions ignore that civic liberalism and economic liberalism come from the same theoretical origins and sources. So, if leftists defend civic liberalism, the logical consequence would be to accept deregulated markets. In a Marxist terminology, this is a bourgeois attitude. That is why cosmopolitanism is linked to global markets and does not have the potential to criticize capitalism radically. Since the 1990s cosmopolitan thought is described as democratic, because of its universal foundations (Niederberger 2012: 422/ 428-434).¹ This causes several conceptual problems. I want to highlight two of them: *First*, it gets ignored that solely nation-states do have the institutions and instruments, to regulate markets – and international and supranational organisations do not (Streck 2014). Second, the idea of a nation was a progressive and emancipatory idea during end of the 18th and the beginning of the 19th century, because it was associated with people's sovereignty, but nowadays, this concept is controlled by right-wing nationalists. Contemporary left liberal (cosmopolitan) critiques deny the nation-state, too. For some good reasons they are anxious of nationalism and its negative effects, because it gets identified with chauvinism, xenophobia and racial discrimination. However, the mainstream result nowadays is not internationalism, but globalised liberalism and deregulated markets.

If one focuses on phenomena, such as nation-states, cosmopolitanism and capitalism in a historical and theoretical way, one will find several episodes, when markets got criticised in a radical way. And in order to do that, sometimes the idea of people's sovereignty was used. So, if one wants to analyse ways to control or fight global deregulated markets, it may be plausible to re-examine some historical discourses on commerce and nation-states; because an internationally coordinated anti-capitalistic movement against a globalised capitalism is not realistic. So, instead of re-examining just Marx again and again, and to transfer his thought to different eras of economic repression and to see the state just as the consequence of the economy, and instead of contrasting cosmopolitanism and internationalism, this paper will highlight two other philosophers of the democratic and radical enlightenment (Israel 2013): Jean-Jacques Rousseau and Johann Gottlieb Fichte. Basing different arguments both philosophers provide a possibility of a closed commercial state in order to limit political and social inequalities, and the corruption of the state. Rousseau combines this with a radical democracy. Therefore, his republic should be a state that is as small as possible, but Rousseau is able to adjust his theory to contemporary political realities. And Fichte totally denies even a half-opened commercial state. Both share the ideas of an egalitarian society in a self-sufficient state, and a political system basing on positive liberty, and political and social equality. So, the closed nation-state is their reply to deregulated markets of early capitalism. (Nakhimovsky 2011: 1-14) Contrary to internationalism they combine the principles of anti-capitalism and state's sovereignty. This is worth examining, because their theories offer alternatives to a globalised world.

By analysing the social concepts of both thinkers, it shall be shown that nation-states can be useful tools for regulating the markets and strengthening democracy. By comparing both philosophies, I want to offer some elements of a theory of a democratic (participatory) and anti-capitalist nation-state. Reading these "old guys" could be helpful nowadays, because they present an alternative to cosmopolitanism and deregulated markets. So, is there the possibility of limiting and controlling markets by a strong state without becoming nationalist, understood as racism, biologism, chauvinism etc.? Therefore, the comparison is intended to be competitive, in order to evaluate, whose theory is more plausible and realistic. So, first, I will point out some social and economic conditions of Rousseau's republic and Fichte's closed commercial state (2). Indeed, this will be presented in a very benevolent way, interpreting both as either pre-socialists or early socialists. This should enlighten the theoretical relations between republics, nations and markets. Afterwards a comparison of both concepts should make a discussion of this relation possible (3). What could follow out of such a comparative re-examination are elements nation-states could use nowadays to regulate or control markets.

¹Cosmopolitanism is understood either as an affirmative moralism (Weidner 2018: 273-324) or as a positive trend that could generate some bad side-effects (Beck 2017).

2.) Rousseau's and Fichte's social theories: Two left interpretations

2.1) Rousseau

In his *Du Contrat Social*, published in 1762, Rousseau glorifies those ancient states that had been collectively autonomous. Rousseau's contractalism is a voluntary association of men. They become free and equal citizens, and they shape a (classical) democratic system. Such a state is independent, and the people are ruling and being ruled by themselves. Just in a small-unit-society people know each other more or less. Then they would be able to shape the general will (*volonté générale*) and to participate in persona in an assembly. So, Rousseau prefers city states. The bigger and the more complex a state becomes, the less homogenous the population will be. In a bigger system, citizens will hardly be able to share fundamental interests, and they will be unable to shape a common will. Particular egoistic interests (*volonté particulière*) will rise, and the virtuous republic will degenerate. (Rousseau CS, I, 1/ II; Riley 1973: 6f./ Grimsley 1983: 90)

The size of population and the one of territory depend on climate and fertility of the country, as well. A state should be self-sufficient. Therefore, climatic, demographic, and geographic aspects and foreign policy are crucial aspects. For instance, the size of territory and size of population should be in a balance, because the citizens need to survive with the country's resources. So, if there are too many men living in a country, scarcities of natural resources will arise. Then, the state has to expand or to do commerce, and (inter)dependencies between economic actors and states increase. Those factors minimize the people's sovereignty, because economic aspects and foreign powers or resources become more important than the *volonté générale* of the people. But if there are not enough men in a bigger country, the state becomes too rich. Then, the risk of getting attacked by foreign powers grows. "[C]e sont les hommes qui font l'Etat, et c'est le terrain qui nourrit les hommes" (Rousseau CS; II, 10: 389). So, Rousseau's idea of self-sufficiency leads towards isolationism. According to this theory, peaceful transnational commerce and globalising the *volonté générale* are very problematic. Political autonomy and democracy are linked to self-sufficiency (Asbach 2002: 216f.). Another social condition is important, too, in order to guarantee the people's sovereignty: minimizing social inequality. Slavery or the option to buy political votes should not just be illegal, but impossible as well. So, nobody should be rich enough to buy someone, and no one should be that poor that s/he is forced to sell him-/herself. Such a virtuous republic in a face-to-face-society just works, if citizens are homogenous in a social and cultural way. (Rousseau CS II, 10: 388-393; Fetscher 1975: 177; Spector 2014: 119-126)

Of course, Rousseau is realistic enough to recognize that contemporary states are not constituted this way (Derathe 1950: 279f.). So, in his draft constitutions for Corsica and Poland he tries to transfer as many political principles as possible to bigger countries. In his *Project de Constitution pour la Corse*, published in 1764, he even accepts political representation. But representatives are bound by the decisions of local people's assemblies. This is an imperative mandate. In the *Contract Social*, he totally denied representation, because the *volonté générale* is inalienable and has to be generated by the people. Now, he accepts it under certain circumstances. At least in Corsica an ideal legislation would be possible, even if it is no city-state, because Corsica is an island. Ergo, it could be independent from other countries. Political solidarity and a citizen's virtue could still guarantee a general will. This would create patriotic values of political and social equality, and positive freedom. In order to guarantee such a citizen's virtue, Corsica should not do any international commerce. If possible, residents should not even be allowed to leave the island. Social equality should make the citizenry moderate; and the country should be poor, without much luxury or decadence. Agriculture would be the economic basis. "[I]l y a de Corse ne pouvant s'enrichir en argent doit tâcher de s'enrichir en hommes" (Rousseau PCC: 904). So, the state would be autonomous and self-sufficient, too. But workers would get bound to the state by centralised manufactures². So, Corsica is big enough to be self-sufficient, but it is already too big for a pure individual autonomy. (Rousseau PCC: 901-929; Heyer 2006: 111f.)

Rousseau's republicanism gets struggled even more in his *Considerations sur le Gouvernement de Pologne*, written in 1772 for Poland: a state of feudal traditions, international interdependences, and the (extended) size of a nation-state. Rousseau is realistic. So, he offers political reforms. Again, he accepts imperative mandates. He combines it with a strong federalism and republican institutional rules, such as frequent elections, and the prohibition of iteration for political magistracies. "Le [...] moyen est d'assujettir les représentants à suivre exactement leurs instructions et à rendre un compte sévère à leurs constituans de leur conduite à la Diète" (Rousseau CGP, VII: 978f.). Like for Corsica, Rousseau prefers agricultural conditions and the reduction of luxury for Poland. But now, he allows a few foreign relations. In order to realize social and political equality in a bigger, heterogeneous country, patriotism (as a bound of unity) becomes more important. "La vertu de ses Citoyens, leur zèle patriotique, la forme particulière que des institutions nationales peuvent donner à leurs amés,

²Fetscher (1975: 239-244) thinks, this system could lead to unintended and growing private needs. But Rousseau still combines an anti-luxurious virtue in a democratic nation with an isolated economical system.

voilà le seul rempart toujours prêt à la défendre, et qu'aucune armée ne saurait forcer." (Rousseau CGP III: 960) So, patriotism is a civic virtue. It helps to associate the subject with the country and its culture. It increases the drive towards a common good, and it is a condition of cultural homogeneity. Indeed, in a way this is collectivistic, but this patriotism is intended as a defensive nationalism against aggressive foreign powers and the corruption of politics. (Rousseau CGP I/III/ VII/ XIII, S. 953-961/ 978-980/ 989-944/ 1023-1025; Wokler 2001: 435f.; Parry 1995: 114; Grimsley 1983: 128-130) So, expansive and chauvinistic elements of patriotism are missing in this cultural patriotism, but the element of a genuine, anti-cosmopolitan attitude becomes important.

Rousseau's ideal is a small-unit-society, where the people can participate as free and equals. To find the *volonté générale*, there is the need for economic and cultural homogeneity. So, the ideal of people's sovereignty, understood as political autonomy, given by a democratic legislation, is linked to three social conditions: isolationism, self-sufficiency and social equality. Concerning the *Contrat Social*, one can interpret Rousseau as an early socialist, but to him social equality is not an intrinsic value: It is an instrument to realise political freedom and political equality of one autonomous citizenry. Rousseau knows that there is a connection between social conditions and the political system. Democratic autonomy and social homogeneity are two sides of one coin. But as a conservative thinker and classical republican, as Iring Fetscher (1975: 15-18/ 178f./ 255-257; 2006: 577) has pointed out, Rousseau tries to fight modern elements, such as industrialization and unregulated commerce. Both things would lead to inequality and the rule of private interests. But he is a radical-democratic republican acting towards participation of the people, too (Maus 2011: 195f./ 323-328; Barber 2004). So, Rousseau is both: a conservative and an egalitarian radical democrat. Both thoughts are connected in his philosophy; and it is impossible to eliminate those ambivalences. (Chapman 1968; Oppelt 2017: 62-125) He has egalitarian democratic values, but contrary to cosmopolitan theories, he knows that we can just realize those economic and political values if there are small political units. So, I want to interpret Rousseau as a theorist of nation and federalism, as Patrick Riley (1973: 11f.) does. Furthermore, Rousseau has a concept of patriotism that is not very inclusive, the state is closed at least in social ways, and his patriotism runs towards a genuine culture of a common will. In Corsica, the right to become a citizen is bound to a census of property or the principle of nativity. On an international level, like Europe, just a confederation makes sense to Rousseau to guarantee the equality and participation of the citizens, and a continental peace between republics. (Dent 2006: 177)

2.2) Fichte

In his *Grundlage des Naturrechts nach Principien der Wissenschaftslehre*, written in 1796, Fichte does not have, contrary to C. B. Macpherson's (1978: 199-207) interpretation, a liberal definition on property – understood as the right to exclude somebody from the use or benefit of something. Fichte also thinks that unregulated markets may restrict the more fundamental political freedom and equality, which implies a broader theory of property rights. He describes the concept of rights as a relation in which human beings restrict their natural freedom. Property rights grow out of a first natural right (*Urrecht*) as acting free in the world. This leads towards a reciprocal recognition of rights, according to their social contract concerning property (*Eigentumsvertrag*). This would constitute a condition of individuality. So, rights constitute a political condition for human freedom. Fichte constructs a right of an executive force (*Zwangsrecht*) of the state, in order to limit aspects that could harm free human agency. The *Zwangsrecht* would be created by a common will of the commonwealth, constituted by a civil contract (*Staatsbürgervertrag*). The *Staatsbürgervertrag* is one consequence of the *Eigentumsvertrag*. According to the *Staatsbürgervertrag*, property rights of the citizens are defined as the right to act free. It describes actions, not resources. For Fichte, to be able to live is the most fundamental end of human freedom. It is an inalienable right, as David James (2010: 202-208) stated. But the state should not just guarantee property but should give everyman enough resources to save their material needs by their own labour as well. (Jacobs 2014: 53-59) This concept of human freedom bases on the natural rights theory of the enlightenment. It is thought with a focus on the material basis of the free interaction in the public sphere. This is a participatory approach of and for the citizens. To him, the people's sovereignty is inalienable. Fichte wants every constitution to be ratified by the citizens. Therefore, he outlines the need for one common interest. Social equality and political freedom are deeply connected. (Fichte GNR: I/4, S. 113-172/ 313-358; Städtler 2017: 121-139; Mohr 2005: 188-192; Seidel 1997: 84-95) According to Fichte, freedom is a moral commitment. This makes a duty, virtue or morality necessary to act responsible and accountable. (Wood 2014: 177-181)

That is why the state must redistribute material resources in a planned economy to guarantee political liberty, as the philosopher describes it in his *Der geschloßne Handelsstaat*, written in 1800. That means that the state is responsible for a regulated division of labour. Therefore, individuals become members of estates. Those are characterized by their function of cultivating, producing or exchanging goods. This regulated division has to

ensure that everybody has the means to live in an efficient economy. The state has to ensure that every labouring citizen receives an appropriate share of leisure. This leads towards an egalitarian economy of middle-class workers. (Fetscher 2006: 594f.) When Fichte is writing about estates, he constructs an inflexible social system. It is anti-capitalistic and anti-feudal, understood in its conventional meaning of being born in one of these estates – because de jure Fichte's estates leave no space for social hierarchies. Furthermore, he suggests price controls, limits of possessions, and he forbids any kind of transnational commerce, because this would cause many unforeseen factors for two reasons: *First*, unregulated commerce would undermine the regulated economy and its order of equality by an order of egoism; and *second*, it could cause wars. The regulations of the economy would generate social equality, and it would be rational, because equality would be the fundamental condition of human freedom. This is the ability to act free in the world. These interactions would be rational and free because people would enjoy social safety in a functional equality.

Furthermore, the closed commercial state should stay in its so-called natural borders and be self-sufficient, because transnational commerce creates interdependencies that undermine the political order. So, this isolationism would be anti-militaristic, too. There is no will for expansion and no pursuit to influence foreign countries. This argumentation of a peaceful isolation would work out for the economy, too. There would be no commercial wars between salesmen and consumers. "Das streitende Handelsinteresse ist oft die wahre Ursache von Kriegen" (Fichte GHS: I/7 457). Unlimited commerce and war get associated. Fichte's solution for both problems is the closed commercial state. In order to act in such an egalitarian and reciprocal way, an education is necessary that denies the luxury of foreign goods. This education should shape an ascetic moral consensus (Fichte GHS: I/7 399-425/ 481-484; James 2010: 208-213; Buhr/ Losurdo 1991: 93-100). This means a national education towards patriotism. A cultural homogeneity is intended. Fichte thinks, materialism and egoism are the origins of evil. His point is that the ideal against those evils would be social equality, philosophic reflection, and cultural patriotism. Patriotism would maximize the economic and cultural progress of this country; a common ethos would be born. This progress would lead towards a universal metamorphosis of the human race. (Fichte RN: I/10: 202-205) So, his idea is a patriotic nation that declares universal human rights in a Kantian fashion, bound to the enlightened principles freedom, equality and rationality. (Fichte RN: I/10: 198-221/ 268-369; Nakhimovsky 2014: 283-291; Merle 2017: 199-218; Batscha 1970: 175-211)

Because Fichte uses the term property (*Eigentum*) in a broad way, his speculative project of a closed commercial state becomes plausible in a philosophical way, because it is a concept of a system that intends equality and rationality, and fights pauperism. If there is no big economic inequality anymore, and his patriotism shapes a mental connection between citizens, then the so-called evils materialism and egoism may get minimized. His idealistic fight against egoism and his fight for equality have a materialistic consequence: Basic material needs of every person must be fulfilled. That is why the closed commercial state would be a rational state (*Vernunftstaat*). Of course, it is very doubtful if this solution guarantees (especially negative) freedom when individual choices are limited by the order of the state. (James 2010: 213-215; Beck 2008: 130-174) There is a common sense among scholars that Fichte was a philosopher of the French Revolution. He presented a republican alternative to old and new forms of social and political inequality. (James 2015b: 146-180) The basis of his thought is agricultural production, and he adapted elements of the contemporary mercantilist theories (Stahl 2016: 358f.). His idea of a rational system may be idealistic or romantic, but it is not necessarily reactionary. This combination of social equality and his version of the people's sovereignty are influenced by the collectivist approach of Jacobinism and the Sans-culotte. But even if the state is collectivistic, Fichte intends individual freedom. (Eisfeld 2015: 423-426; Rohs 1991: 169-173) Of course, it is not certain, if Fichte can fulfil this individualistic approach. Sometimes his closed commercial state gets associated with the Soviet Union. But the Soviet Union was not a totally closed commercial state, but a half-closed one, which is a state that does commerce with a limited number of countries and salesmen. It was a state, Fichte would have denied as even more irrational than totally deregulated markets. And of course, in the Soviet Union, the concept of free and equal participation is missing. Ergo, we could classify Fichte as an idealist and early state's socialist with economical and civil rights. By doing so, he wants to overcome materialism. (Beiser 2017: 38-60; Baumanns 1990: 191-200)

3.) Towards an egalitarian state?

3.1) Rousseau and Fichte compared

Fichte knows there are some differences between his and Rousseau's philosophy; but the biggest differences would be about their interpretation on science and civil progress. This hardly touches the question of a closed commercial state³ (Fichte GA: I/4, 186-200; Clarke 2013: 503-516). Besides this question, there are

³Fichte defends the science of the enlightenment and accepts it as a social progress, while Rousseau criticizes science, culture and progress in a radical way. He interprets them as degenerating and denaturalizing.

many similarities between Rousseau's social philosophy and Fichte's *Der geschloßne Handelsstaat* that run against many moderate and proto-liberal philosophies of the enlightenment.

Fichte and Rousseau are contractualists (Fichte in a more complex and formalistic way). Fichte repeats Rousseau's principle that just the people were entitled to frame laws, because of the inalienability of the people's sovereignty (Fichte GA: I/1: 229). That is why Fetscher (2006: 189-192) interprets Fichte as a democracy-theorist in a Rousseauian fashion. But Maus (2011: 145-160) is right in doubting such a political similarity between Fichte and Rousseau (or even Kant); because, according to Fichte's criteria for a rational constitution, the individuals are subjects in the first place, instead of an autonomous citizenry. To Rousseau, this would be a form of despotism, because people are citizens in the first place, and just subjects as individuals in the second place. That is why Fichte's state could become a welfare-despotism. So, one can doubt, if Fichte's model has a higher legitimacy than a supra-nationalism, because there is the danger, that his theory fails in reaching its own claims.

However, in order to realize their participatory approach, both philosophers make political equality and positive freedom their fundamental ideas. But those ideas are linked to some pre-political socio-economic and socio-cultural conditions. So, both theorists understand self-sufficiency as a condition of autonomy. The consequences are isolationism, no transnational commerce (or almost no commerce, in the case of Rousseau's Poland). The basis is a functional economic equality. Materialist, private interests should not spoil the common, public interests. So, social equality is a necessary tool to talk about a *sensus communis* that is not defined by private interests. Fichte interprets this equality as the equal wages for working citizens, while Rousseau needs a relative equality in general to reach social homogeneity. So, both theorists can be classified as state's socialists who prefer a middle class in a social system of an isolated state where nobody is too rich or poor (Baumanns 1990: 194f.). But of course, their social theories are romantic. They understand social equality as a condition of an egalitarian participation in the public realm. (James 2015a: 18-51/91-142) Both radical philosophers criticise early modern capitalism and pre-modern feudalism. And both offer alternatives, based on an egalitarian and universal natural law. By doing so, they combine their theories with pre-modern concepts, like mercantilism (this is just done by Fichte), agrarianism, isolationism and protectionism. Ergo, Rousseau and Fichte stand against unregulated commerce as a source of social inequality and war. Indeed, Fichte's speculative project is more stringent in a philosophical way, because Rousseau accepts, at least in Poland, that such a state could not act totally independent. That means the state's self-sufficiency gets reduced. But Fichte's stringency in his utopian idea may become absurd in its totality. And Rousseau tries to keep some of his core principles of his ideal social contract in his works on contemporary countries. Rousseau's solution seems more realistic and plausible in a political or strategic way.

These economic principles are linked to a citizen's virtue to realize common interests and an attitude against luxury. So, the question is: Is this patriotism, bound to traditions and a genuine national culture, nationalistic, in the sense that it leads towards biologism, xenophobia, chauvinism, and maybe even expansionism and racism? Indeed, it sounds nationalistic when Rousseau claims that there are no nationalities anymore, just Europeans. "Il n'y a plus aujourd'hui de Français, d'Allemand, d'Espagnols, d'Anglois même, quoi qu'on dise; il n'y a que des Européens" (Rousseau CGP: 955). Rousseau and Fichte want to strengthen the idea of one nation with a common language, culture, and social homogeneity. Because of their isolationism and a closed culture of the country – especially concerning Corsica in Rousseau's work or the common people in Fichte's closed commercial state⁴ – people should not stay in touch with foreigners. It is quite likely that this leads to xenophobia⁵. But on the other hand, Fichte accepts the universal approach of natural human rights. Chauvinism and universal human rights cannot match. Furthermore, their isolationism leads towards a peaceful coexistence, and not towards expansion, because reasons for war (commerce) are stopped or regulated. Rousseau and Fichte even accept a confederation of European republics. This would guarantee peace in Europe and would protect the republics from foreign powers. That means, their patriotic approach and their national culture base on social and cultural criteria, and not on ethnical, racial or biological ones. Of course, both have contemporary racist resentments, but those do not touch the political core principles. For instance, Rousseau does not say, that an immigrant could not accept or adopt the cultural tradition or accept the social equality of a state. But still, both philosophers do not intend migration or contact with foreigners. So, it would be misinterpreted, if one reads both as ethno-nationalists, ethno-pluralists or chauvinists; but the result of their state's socialism is more or less closing borders. That implies an exclusivist element to become a citizen. One

⁴In Fichte's closed state solely scientists are allowed to travel to foreign countries, and just foreign scientists are allowed to visit the closed commercial state. This is acceptable because the exchange of scientific ideas would strengthen scientific and civic progress.

⁵Because there is not much (Fichte) or no (Rousseau) intellectual exchange, this sounds even anti-enlightened (Schottky 1995: 134-140/ 257-261)

could say, both create a defensive, exclusive citizenship. So, if we want to examine the possibility to generate an egalitarian, self-sufficient, and patriotic republic that is not xenophobic, we must focus on this defensive patriotism of this exclusivist citizenship. How do we have to deal with the political consequences? Is there the danger of nationalism?

Fichte makes the nation-state his crucial political unit, because this unit is the progressive idea, increasing with the contemporary revolutions, but basing on questionable historical and language-theoretical assumptions. A history and language of a nation are presented as natural things, and not as historical processes made by men. This is a fatal mistake. But to Rousseau the size of the state is more important for his systematic argument than so-called natural borders. The smaller the state, the easier it would be to find common interests and a democratic institutional design. That is why he denies the idea of one united European state. In such an extended country, people would not have enough common fundamental interests, and the government would be too far away from most of the citizens. Regional differences, particular interests and factions would dominate and undermine the republican common sense. His political principles would be stressed too much, and the system would become corrupted. Autonomy, participation and virtue would decrease. But in a city state the people could be relatively homogenous and autonomous. In a smaller country, like Corsica, the state could be autonomous, but the people would be already bound to a centralised economy, similar to Fichte's closed commercial state. And in a nation-state, like Poland, federalism becomes more important so ensure as much autonomy as possible.

The idea of a United States of Europe or the supra-national EU would stress the relation between the people's sovereignty and their social and cultural homogeneity on the one hand, and the size of territory and population on the other hand. But the nation-state (or even a smaller political unit) could guarantee both: participatory principles and a decrease of social inequality. And therefore Rousseau's theory is more plausible than the one of Fichte. Fichte's protectionism and centralism lead not just towards egalitarianism but levelled people, who are socially bound to estates. Rousseau accepts such a rationalization and centralization just for Corsica. If the state is smaller than Corsica, centralisation is not necessary, because no big government is needed to regulate economy, because people could do it on their own. If the state is bigger than Corsica, like a nation-state, it is too big to get centralized without losing the political autonomy of the citizens. Then, Federalism becomes important. So, centralization, bureaucracy, and an expansive government become more dangerous for a free people and their collective autonomy. In a Rousseauist relatively poor state, this could become a financial and repressive threat. So, even in Corsica and Poland, Rousseau wants to limit bureaucracy. For present nations Rousseau's theory could be more valuable or flexible than the concept of Fichte, because Rousseau tries to adjust his principles to reality.

3.2) A Model for the present Relations between Market, Nation, and Democracy?

Can one transfer those old social theories that struggle with several aspects of modernity, in order to solve current tensions between markets, nations, and democracy? Many things have changed fundamentally since the late 18th century. And even in the 18th century, the concepts of Rousseau and Fichte stayed utopian. Today, even in cities cultural and social homogeneity (or even face-to-face-relations) are impossible. Furthermore, some politicians and citizens fight against the most extreme inequalities global capitalism creates, but their debates about markets do not cause fundamental redistributions. Even if social inequality is too high and is understood as unjust and problematic for the state, most Western consumers do not want to renounce their wealth in order to live as equally poor citizens in an agrarian republic. So, public figures simulate a democratic and egalitarian debate in the age of neo-liberalism, when national institutions lose more and more of their sovereignty, and a post-democracy rises (Blühdorn 2013: 167-229; Crouch 2004). Also, in Europe, hardly anyone wants to limit him-/herself and join a pre-modern social estate or live in a closed agrarian society, because Fichte's project would be interpreted as the total rationalization of our lives. This would be a constraint to work in an era where technical progress reduces the need for human labour. Instead of an increasing freedom of responsive human actions, this governmentality would rationalise live itself in a more extreme and totalizing way than the ideology of neo-liberalism does. So, especially Fichte's thought does not leave the capitalistic logic of rationalisation. Furthermore, global connections, interdependencies between state, markets and civil society are too deep, and wealth in the West is too advanced to go back to Fichte's inflexible estates system or an agrarian state in general. Fichte's model could lead towards a Platonic and technocratic reign of scientists in a welfare-despotism. But still, Fichte's analysis of the relation between deregulated commerce and war, and his critique on the irrationality of a half-closed commercial state are still useful. So, he would classify the economic semi-regulations of the EU as a half-closed commercial system. There, rationality is impossible, because some commerce trumps the planned economy, but the advantages of totally unregulated, transnational markets are limited by control either. Such pseudo-regulations enforce oligopolies and prove that markets are neither free nor self-regulated but shaped by economic inequality and oligarchic politics (Wood 2014: 252f.). So, the EU as a

economic and elitist version of the European integration is neither the solution of the problem of a global market nor of re-nationalisations. It is not the solution; it causes re-nationalisations.

While his critique may be plausible, Fichte's solution is too radical to be adapted, nowadays. But if one has a look on Rousseau's realism as well, one could find some ideas to reduce the speed of an increasing economic inequality or go back as far as possible to stop this fatal progress that runs against a republican virtue, democracy and a social homogeneity. For instance, instead of a supranational elitist EU that has hardly any democratic accountability, Rousseau would suggest strengthening the nation-states. So, an intergovernmental confederation of independent and still autonomous European states is Rousseau's model to guarantee a peaceful cooperation without losing the national (and potentially democratic) sovereignty (Rousseau EPPP: 563-590).

Furthermore, a federalism of nation-states should be strengthened to maximize the autonomy of several regions and make the regional delegates more accountable. The territory and the number of citizens have to be relatively small (at least to be able to assemble on a local level), in order to make it possible that the citizens can understand the conditions and circumstances of politics, and to create general laws. So, Rousseau's localizes the sovereign acts of the people in a sphere of a classical democratic *polis*, and not in the extended capitalist state where political power is given to representatives. Rousseau generates a philosophy of a small state in the periphery. In the modern nation-state or an extended state, the possibilities of a direct participation are much smaller than in a classical small state. That is why Rousseau's model could get adapted as an anti-capitalist concept.⁶ (Rousseau CS, II, 9/ III, 12: 386-388; Shklar 1969: 174 f.; Brandt 1973: 101f.) And still, as Rousseau and Fichte state, there is the functional need to maximize social homogeneity. One option could be radical redistributions, done by high taxes for the rich inhabitants of a country. And in order to increase the autonomy of a more egalitarian state, this social state must get as many products as possible by its own work and natural resources.⁷

But this does not solve the problem of nationalism. If a more isolated country becomes xenophobe, this becomes a problem on a global scale, as the so-called refugees-crisis shows. So, it would be absurd to forbid people in today's Europe to get in touch with foreigners. But indeed, the concept of a nation-state that tries to reach more self-sufficiency and a republican homogeneity in cultural and social ways implies border controls. A nation without borders is not a nation anymore. Integration and inclusion of the whole people by education towards a citizen's virtue and solidarity and by economic and fiscal reforms towards social equality are necessary as well, if one wants to adapt Rousseau's concept. Common migration would be checked, and commerce would get controlled and regulated. But by accepting universal human rights, as German idealism did, refugees or immigrants, of course, have the right to immigration. However, there are at least two republican consequences: *First*, there is the need to include and integrate migrants by cultural education, because for republicanism in a Rousseauist style, they have to accept the political values of the state. That means, multiculturalism would not be a republican value per se. Persons from foreign cultures would have to get assimilated and included as much as possible (or could be tolerated until they do not harm the public realm). Rousseau for instance just accepts a big amount of factions and different forms of competing cultures if factions already exist. In this bad case factions must be counteracted by other factions, because no particular interest should be able to reach hegemony. So, pluralism and a political multiculturalism can be republican values, just if the republic is already in a state of degeneration where a *volonté générale* cannot be generated anymore, because there is hardly a fundamental common interest left. In this case, the republic needs as many particular wills as possible in the public realm. (Rousseau CS, II, 3: 372) But of course Rousseau would say, today's Europe is in such a state, where factions have to be as multiple as possible. The *second* consequence is that migrants would have the right to participate in the social homogeneity. So, if territory and resources of a country are limited, either every citizen, in his/her virtuous attitude would have to accept the decrease of wealth if population increases but resources stay the same, at least if there is no scarcity⁸.

So, patriotism as a citizen's virtue, combined with a shared historical culture, has to be interpreted as patriotism of the constitution, as long as it is constituted in a democratic way by the people and includes human rights, as Fichte and Rousseau would state. One could think of imperative mandates and township meetings or

⁶Because even when Rousseau changes his model for bigger states Corsica stays his optimal state. Corsica has clear borders and the potential of an isolated position. That is why the possibility to use Rousseau's political philosophy has its limits, and is especially useful for smaller societies. (Kersting 2002: 187)

⁷By the way: By prioritizing selling local or national products, a country could not just increase autonomy and self-sufficiency, but sustainability as well. This would be done, for instance, by high commercial customs for foreign products.

⁸A better cooperation between richer and poorer European states on an intergovernmental level could be helpful, to handle bigger amounts of refugees and migrants.

neighbourhood assemblies in cities and towns to reach a direct democratic participation in a federal system. This could be a Rousseauian alternative, when the whole citizenry of the modern nation-state cannot assemble. The republican patriotism must act as an integrative egalitarianism and as the opposite of an egoistic or racist form of nationalism. Equality and patriotism in Fichte's and Rousseau's thought are the economical and ideological conditions to reach those political values, while cultural or biological nationalism bases on exclusion and is an intrinsic value and perpetuate social inequality.⁹

5) Conclusion

To sum it up: Rousseau and Fichte offer alternatives to a cosmopolitan liberalism that enforces unregulated markets. Those egalitarian republican alternatives got lost during the history of political ideas. But especially those theories, if they get adjusted to political realities, are able to break through the dichotomy between nationalism and neo-liberalism, and to offer a conceptual third way in the current political discourses.¹⁰ The reanimation of an (at least Rousseauist) republicanism could help to answer the questions of social justice and democratic participation. So, what one could examine in the future is, if the options, both thinkers provide, could be adopted by current nation-states.

And even if Fichte's absolutely closed commercial state or Rousseau's ideals of the *Contrat Social* would be absurd to get adapted totally, the connection of a state who tries to get more self-sufficient, socially equal and a more virtuous people can be interpreted as a concept that runs against unregulated markets. So, Fichte's concept of a closed commercial state as an estates system that can become autocratic or nationalist, should not to be adapted. But Rousseau's egalitarianism offers the possibilities to discuss political and economic principles for a national state again without enforcing an aggressive nationalism. This could make a people of the state (citizens or *citoyen*) with a fundamental common will possible, instead of cosmopolitan egoistic and economic people of the markets (*bourgeoise*). Those elements, especially the ones of Rousseau's anti-liberal, sustainable, patriotic, and democratic republicanism in a (nation-)state as small as possible, could be a more realistic solution for the problems of the rising inequality because of market processes, than a global, but coordinated anti-capitalistic resistance movement.

Further investigations and research in this area could show which fundamental reforms in detail would be necessary to reach a democratic-republican state in a Rousseauian fashion, like the reanimation of the social welfare state and federalism, high duties for foreign products, a republican education and strengthening local democratic institutions (imperative mandates and local direct democracy). At least we can be sure that on an international level the supra-nationalism of the EU should be replaced by an intergovernmental coordination.

⁹Indeed, this is a very special interpretation, especially on Rousseau, who distinguishes citizens, patriots and aspirants in Corsica because of economical and biological criteria. To adapt his contractualistic principles, one could say, being born in a country or the proven acceptance of the republican values are the condition to become a citizen.

¹⁰And especially in different current debates - such as the refugees debate in Europe and connected social questions, like the discussion about terms such as *patriotism* or *home country* or the problem of the increasing global inequality – the dichotomy between liberal cosmopolitanism and right-wing-nationalism oversimplifies the political discourses. (Dingeldey 2016: 15-17)

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