

# The Social Contract

Jean-Jacques Rousseau

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[Brackets] enclose editorial explanations. Small ·dots· enclose material that has been added, but can be read as though it were part of the original text. Occasional •bullets, and also indenting of passages that are not quotations, are meant as aids to grasping the structure of a sentence or a thought. Every four-point ellipsis . . . . indicates the omission of a brief passage that seems to present more difficulty than it is worth. Longer omissions are reported between brackets in normal-sized type.

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## Glossary

**agreement:** The item that Rousseau calls a *convention* is an event, whereas what we call ‘conventions’ (setting aside the irrelevant ‘convention’ = ‘professional get-together’) are not events but enduring states of affairs like the conventions governing the meanings of words, the standards of politeness, etc. So ‘convention’ is a wrong translation; and ‘agreement’ is right.

**alienate:** To alienate something that you own is to bring it about that you no longer own it; in brief, to give it away or sell it,

**arbitrary:** It means ‘brought into existence by the decision of some person(s)’. It’s no part of the meaning here (as it is today) that the decision was frivolous or groundless.

**ensorship:** This translates Rousseau’s *censure*. It doesn’t refer to censorship as we know it today; *censure* didn’t have that meaning until the 19th century. Rousseau’s topic is a role that certain officials had in some periods of the Roman republic, namely as guardians of, and spokesmen for, the people’s *mœurs* (see below). They could be thought of as an institutionalising of the ‘court of public opinion’. On page 67 we see him stretching the original sense.

**compact, contract:** These translate Rousseau’s *pacte* and *contrat* respectively. He seems to mean them as synonyms.

**constitution:** In this work a thing’s ‘constitution’ is the sum of facts about how something is *constituted*, how its parts hang together and work together (so the constitution of a state is nothing like a document). Items credited with ‘constitutions’ are organisms and political entities; the mention on page 66 of the constitution of *a people* seems aberrant.

**magistrate:** In this work, as in general in early modern times, a ‘magistrate’ is anyone with an official role in government. The magistracy is the set of all such officials, thought of as a single body.

**mœurs:** The *mœurs* of a people include their morality, their basic customs, their attitudes and expectations about how people will behave, their ideas about what is decent. . . and so on. This word—rhyming approximately with ‘worse’—is left untranslated because there’s no good English equivalent to it. English speakers sometimes use it, for the sort of reason they have for sometimes using *Schadenfreude*.

**moral person:** Something that isn’t literally person but is being regarded as one for some theoretical purpose. See for example pages 9 and 36.

**populace:** Rousseau repeatedly speaks of a ‘people’ in the singular, and we can do that in English (‘The English—what a strange people!’); but in many cases this way of using ‘people’ sounds strained and peculiar, and this version takes refuge in ‘populace’. On page 4, for instance, that saves us from ‘In every generation the people was the master. . .’.

**prince:** As was common in his day, Rousseau uses ‘prince’ to stand for the chief of the government. This needn’t be a person with the rank of Prince; it needn’t be a person at all, because it could be a committee.

**sovereign:** This translates *souverain*. As Rousseau makes clear on page 7, he uses this term as a label for the person or group of persons holding supreme power in a state. In a democracy, the whole people constitute a sovereign, and individual citizens are members of the sovereign. In Books 3

and 4 'sovereign' is used for the legislator (or legislature) as distinct from the government = the executive.

**subsistence:** What is needed for survival—a minimum of food, drink, shelter etc.

**wise:** An inevitable translation of *sage*, but the meaning in French carries ideas of 'learned', 'scholarly', 'intellectually

able', rather more strongly than whatever it is that you and I mean by 'wise'.

**you, we:** When this version has Rousseau speaking of what 'you' or 'we' may do, he has spoken of what 'one' may do. It is normal idiomatic French to use *on* = 'one' much oftener than we can use 'one' in English without sounding stilted (Fats Waller: 'One never knows, do one?').

## BOOK 3

Before speaking of the different forms of government, let us try to fix the exact sense of the word 'government', which hasn't yet been thoroughly explained.

### 1. Government in general

I warn you that this chapter requires careful reading, and that I don't have the skill to make myself clear to someone who won't attend.

Every free action is produced by two causes working together: one is mental, namely the volition that determines the act; the other is physical, namely the power that carries the act out. When I walk towards something, it is necessary •that I should will to go there and •that my feet should carry me there. If a paralytic wills to run and an active man doesn't, they will both stay where they are. The body politic has the same motive powers, which again divide into will and force: will is called 'legislative power' and force is called 'executive power'. Nothing is done, nothing should be done, without the two of them acting together.

We have seen that the legislative power belongs to the people and can't belong anywhere else. But the principles I have laid down make it easy to see that the executive power can't belong to the people as legislature or sovereign [see Glossary], because it consists wholly of particular acts that fall outside the scope of the law, and consequently of the sovereign, whose acts must always be laws.

So the public force needs an agent of its own. . . .to •set it to work under the direction of the general will, to •put the state in touch with the sovereign, •to do for the collective person something like what the union of soul and body does

for •an individual• man. Here we have what is, in the state, the rationale of government; it's quite wrong to identify it with the sovereign—it *serves* the sovereign .

Then what *is* government? An intermediate body set up between the subjects and the sovereign to enable them to communicate with one another; it's job is to apply the laws and to maintain civil and political liberty.

The members of this body are called 'magistrates' [see Glossary] or 'kings', i.e. *governors*, and the body as a whole has the name 'prince'. Thus, those who claim that the act by which a people puts itself under leaders is not a •contract are quite right. It is simply a •commission, a •job, in which the leaders—mere officials of the sovereign—exercise in its name the power that it has lodged with them. The sovereign can limit this power, modify it or take it back, just as it wishes; because the alienation [see Glossary] of such a right is incompatible with the nature of the social body, and contrary to the goal of association.

So in my usage 'government' (or 'supreme administration') names the legitimate exercise of the executive power, and 'prince' or 'magistrate' names the man or the body entrusted with that administration.

[In the next couple of pages Rousseau uses technical terms from mathematics, in ways that are filtered out from the present version because they are too hard to make clear here. **(i)** He is using the terms in senses which they had then and don't have now. **(ii)** He also exploits the ambiguities of words that have (or had) mathematical and non-mathematical senses. **(iii)** It is pretty clear that these detours through mathematics—even if they don't deserve the mockery they have often attracted—don't really help us to understand Rousseau's theories of politics.]

. . . .The **(b)** government gets from the **(a)** sovereign the

orders it gives to the **(c)** people; and for the state to be properly balanced there must be a steady relationship between the a-to-b relation and the b-to-c relation. If any of these three terms were altered, the steady relationship would instantly be destroyed. [Rousseau puts that in terms of the breakdown of a mathematical ratio; that is part of the detour discussed in the preceding note.] If the **(a)** sovereign tries to govern, or the **(b)** magistrate tries to give laws, or if the **(c)** subjects refuse to obey, disorder takes the place of regularity, force and will no longer act together, and the state is dissolved and falls into despotism or anarchy. Lastly. . . ., there is also only one good government possible for a state; but as the relations within a people can change in countless ways, different governments may be good for different peoples or even for a single people at different times.

Trying to give some idea of the various relations that may hold between these two terms **(a)** and **(c)**, I shall take as an example the numerical size of a population, which is the most easily expressible.

Suppose the state is composed of ten thousand citizens. The sovereign can only be considered collectively and as a body; but each member, in his role as a subject, is considered individually; so the sovereign is to the subject as ten thousand to one, meaning that each member of the state has as his share only a ten-thousandth part of the sovereign authority, although he is wholly under that authority's control. If the population numbers a hundred thousand, the condition of the subjects doesn't change; each of them is under the whole authority of the laws, while his vote. . . .now has only a tenth as much influence in drawing them up. Thus, the people-to-sovereign ratio increases with the number of the citizens, from which this follows: *The larger the state, the less the liberty. . . .*

Now, the larger the ratio of particular wills to the general

will. . . ., the greater the repressive force should be. If the government is to be a good one, it should be proportionately stronger as the population is greater.

[Two remarks: **(i)** The ellipsis marks the place where Rousseau equates the relation

particular wills—the general will  
with the relation

*mœurs—lois*                      [*lois* are laws; for *mœurs* see Glossary].

**(ii)** What Rousseau wrote means 'The smaller the ratio of particular wills. . . .', but that must have been a slip.]

On the other hand, the bigger the state the more temptations and chances the holders of the public authority have for abusing their power; so the greater the force government should have for keeping the people in hand, the greater the force the sovereign should have keeping the government in hand. I'm not talking about absolute amount-of-force, but of the comparative amounts of force of the different parts of the state.

This conceptual scheme of *ratios* of **(a)** the sovereign to **(b)** the prince (·or government·) and of the prince to **(c)** the people is not an arbitrary idea, but an inevitable consequence of the nature of the body politic. . . . One thing we learn from it is that there is no single unique and absolute form of government, but rather as many governments differing in nature as there are states differing in size.

In discussing this matter in terms of population-size, I am merely taking an example; the ratios that I am basically talking about are not measured by *the number of men*, but quite generally by *the amount of action*, which is a combination of a multitude of causes. As for my briefly borrowing terms from mathematics, let me say that I'm well aware that moral quantities don't allow of geometrical precision.

[At this point, Rousseau presents another mathematical flourish, and then pushes it aside:] Without wrestling with this proliferation of ·technical· terms, let us settle

for something much simpler, namely a view of **(b)** the government as a new body within the state, distinct from **(c)** the people and **(a)** the sovereign, and intermediate between them.

Between the government and the state there is this essential difference: the state exists in its own right, whereas the government exists only through the sovereign. Thus the prince's dominant will is, or should be, nothing but the general will or the law; his force is only the public force concentrated in his hands, and the moment he tries to base any absolute and independent act on his own authority, the whole structure starts to come apart. Look at it this way: If the prince came to have a particular will more active than the sovereign's, and employed the public force in his hands in obedience to this particular will, there would in effect be two sovereigns—one rightful and the other actual—and the social union would evaporate instantly, and the body politic would be dissolved.

However, for the government to have an existence and a real life distinguishing it from the body of the state, and for all its members to be able to act together towards the goal for which it was set up, it must have a particular *myself*, a sensibility shared among all its members, a force, a will of its own, that causally favours its preservation. This existence as a particular implies assemblies, councils, a power to deliberate and make decisions about the rights, titles, and privileges that are to belong exclusively to the prince, giving to his office as magistrate honours that are proportional to how arduous it is. It is difficult to organise things so that **(b)** this subordinate whole fits into **(c)** the big whole in such a way that in affirming its own constitution **(b)** doesn't alter the general constitution, and always distinguishes the particular force it possesses, which is meant for its preservation, from the public force, which is the preservation of **(c)** the state;

and, in short, is always ready to sacrifice **(b)** the government to **(c)** the people, and never to sacrifice the people to the government.

Although the artificial body of **(b)** the government is the work of **(a)** another artificial body, so that it has only a kind of borrowed and subordinate life, this doesn't prevent it from being able to act more or less vigorously and quickly, or from being in more or less robust health, so to speak. Finally, without moving directly away from the goal for which it was instituted, the government may deviate somewhat from that goal—how much depends on how it is constituted.

From all these differences arise the various relations that the government should have to the body of the state. The details of these relations should vary with particular contingent changes that the state undergoes; for it often happens that an intrinsically excellent government becomes dreadful because its relations to the body politic haven't changed in response to defects in the body politic.

## 2. The source of the variety among forms of government

To set out the general cause of the above differences, we have to distinguish the government from the prince, as we earlier distinguished **(c)** the state from **(a)** the sovereign.

How many members the magistracy can have varies. I said that the ratio of the subjects to the sovereign was greater in proportion as the population was more numerous; and by an obvious and clear analogy we can say the same of the relation of the magistrates to the government.



Now, the total force of the government is always that of the state, so it doesn't vary; from which it follows that the more of this force the government spends on its own members the less it has left to employ on the whole people. Thus, the more magistrates there are, the weaker the government is. This principle is really basic, so we should do our best to get clear about it.

In the person of the magistrate we can distinguish three essentially different wills: **(i)** the private will of the individual, tending only to his personal advantage; **(ii)** the common will of the magistrates, which relates purely to the advantage of the prince (call this 'corporate will', which is general in relation to the government and particular in relation to the state of which the government is a part); and **(iii)** the will of the people, i.e. the sovereign will, which is general both in relation to the state regarded as the whole, and to the government regarded as a part of the whole.

In a perfect act of legislation, the individual or particular will should be at zero; the government's corporate will should be thoroughly subordinate; and the general or sovereign will, therefore, should always predominate and should be the sole guide of all the rest.

It's just a fact of nature that these different wills become more active the more they are concentrated. Thus, the general will is always the weakest, the corporate will second, and the individual will strongest of all: so that in the government each member is first of all

- himself, answerable only to his own personal needs and desires, then
- a magistrate, answerable to the needs and duties of the magistracy, the government, and then
- a citizen, answerable to the needs of the state.

—in exactly the reverse order to what the social system requires.

This granted, if the whole government is in the hands of one man, his particular will is all of a piece with the corporate will of the government, so that the latter—the will of the government concentrated in a single man—is at its highest *possible* degree of intensity. But how much force a government employs depends on the strength of its will, and the absolute force of the government is invariable; so it follows that the most active government is that of one man.

Suppose we go in the opposite direction, letting **(a)** the legislative authority be **(b)** the government—i.e. giving the role of **(b)** prince to **(a)** the sovereign—thereby turning **(c)** all the citizens into magistrates: then **(b)** the corporate will, being identified with **(a)** the general will, won't have any more activity than **(a)** does, leaving **(c)** the particular will as strong as it can possibly be. Thus, the government, having always the same absolute force, will be at the lowest point of its relative force or activity.

These relations are beyond question, and other considerations still further confirm them. We can see, for instance, that each magistrate is more active in the body to which he belongs than each citizen is in the body to which *he* belongs, and that consequently each particular will has much more influence on the acts of the government than on those of the sovereign; for each magistrate is almost always assigned to some governmental function, whereas each citizen on his own exercises no function of sovereignty. Furthermore, the bigger the state grows, the more its real force increases, though not in direct proportion to its increase in size; but when the state remains the same, it won't do the magistracy any good to increase its numbers, because its force is that of the state, i.e. stays the same. . . .

Also, it's certain that the more people are put in charge of some project, the longer it takes to get it going; that in giving too much weight to prudence one doesn't make

enough allowance for the possibility of good luck; and that with too many people involved an opportunity may be let slip so that all this deliberation results in the loss of the goal that the deliberation was *about*.

I have just shown that the government becomes slack in proportion to any increase in the number of magistrates; and I showed earlier [page 30] that the more people there are, the greater the repressive force needs to be. From this it follows that the ratio of magistrates to the government should vary inversely to the ratio of the subjects to the sovereign; which means that the larger the state is the more the government should shrink, so that the number of the rulers diminish in proportion to the increase in the population.

I am here speaking of the government's relative strength, not of its legitimacy. The more numerous the magistracy, the nearer the corporate will comes to the general will; whereas under a single magistrate this same corporate will is, as I said, nothing but a particular will. Thus, what is lost on one side may be gained on the other, and the art of the legislator is to know how to fix the point at which the government's force and its will, which are always in inverse proportion, intersect in the relation that is best for the state.

### 3. Classifying governments

The preceding chapter showed why we distinguish the various kinds or forms of government in terms of how many members they have; now we have to discover *how* this division is made.

(A) The sovereign may put the government in the hands of the whole people or of a majority of them, so that among the citizens the magistrates outnumber the merely private individuals. This form of government is called **democracy**.

(B) Or the sovereign may restrict the government to a small number of citizens, so that the private citizens outnumber magistrates; and this is called **aristocracy**.

(C) Or the sovereign may concentrate the whole government in the hands of a single magistrate from whom all the others—i.e. all the other governmental officials—hold their power. This third form is the most usual, and is called **monarchy**, or royal government.

Within each of these forms, or at least each of the first two, there can be differences of degree, including very wide ones. A democracy, for example, may include all the people or be restricted to half of them. An aristocracy, in its turn, may be restricted indefinitely from half the people down to the smallest possible number. And even royalty is open to a certain amount of sharing out: Sparta always had two kings, as its constitution provided; and the Roman Empire had as many as eight emperors at once, without any splitting up of the Empire itself. Thus, each form of government passes into the next at a certain point, and it emerges that those three main headings cover as many possible forms of government as the state has citizens.

There are even more: a government can be subdivided along certain lines into parts that may be administered in different ways from one another, so the combination of the three forms may result in a multitude of mixed forms. . . .

There have always been fights about what the best form of government is, ignoring the fact each form is in some cases the best and in others the worst.

If in the different states the number of supreme magistrates ought to be in inverse ratio to the size of the population, it follows immediately that democratic government suits small states, aristocratic government those of middle size, and monarchy great ones. But there are countless possible circumstances that would provide exceptions.

#### 4. Democracy

Whoever **(a)** makes a law knows better than anyone else how it should be **(b)** interpreted and applied. It seems then that the best possible constitution is one in which the **(b)** executive and **(a)** legislative powers are united; but this very union would make the government in certain respects inadequate, because it runs together things that should be distinguished; and the **(b)** prince and the **(a)** sovereign, being the same person, amount to no more than an ungoverned government.

It isn't good for **(a)** the person who makes the laws **(b)** to execute them, or for the body of the people to move the focus of its attention away from •general concerns towards •particular objects. Nothing is more dangerous than the influence of private interests in public affairs; it leads to the corruption of the legislator, which is an even worse evil than the abuse of the laws by the government; it makes a substantial change in the state, and all reformation becomes impossible. A people that would never misuse governmental powers would never misuse independence; a people that would always govern well wouldn't need to be governed.

There never was and never will be a real democracy in the strict sense of the word. It's against the natural order for the many to govern and the few to be governed. It is unimaginable that the people should be continually in session dealing with public affairs, and obviously they couldn't set up commissions for that purpose without changing the form of the administration.

In fact, I can confidently lay down as a principle that when the work of government is shared out among several tribunals, the less numerous ·of these· will eventually acquire the greatest authority, if only because it's a natural consequence of their ability to act quickly.

Besides, such a government requires so many conditions that are hard to satisfy all at once! •A small state, where the people can assemble easily and where it's not hard for each citizen to know all the rest; •simplicity of *mœurs* [see Glossary], to prevent complexity and controversy in public affairs; •a high degree of equality in rank and fortune, without which equality of rights and authority can't exist for long; and •little or no luxury—for luxury either comes from riches or makes them necessary. It corrupts both rich and poor, the rich by having it and the poor by wanting it; it sells the country to softness and vanity; it robs the state of all its citizens by putting some of them into the service of the others and putting all of them into the service of public opinion.

That's why a famous writer [Montesquieu] has made *virtue* the driving force of a republics; for none of these conditions could exist without virtue. But that great thinker didn't make all the needed distinctions, and that led him often to be inexact and sometimes to be obscure; he didn't see that because the sovereign authority is everywhere the same, the same driving force should be at work in every well-constituted state—more or less, it is true, depending on the form of the government.

There is no ·other· government so subject to civil wars and internal agitations as democratic or popular government, because there is none that •has such a strong and continual tendency to change to another form, or •that needs more vigilance and courage for its maintenance as it is. It is in a democratic system above all that the citizen should arm himself with strength and constancy, and say every day of his life what a virtuous Count Palatine said in the Polish parliament: 'I prefer liberty with danger to peace with slavery' [Rousseau quotes this in Latin].

A population of gods could have a democratic government. A government as perfect as that is not for men.

## 5. Aristocracy

We have here two quite distinct moral persons, **(b)** the government and **(a)** the sovereign. So there are two general wills, **(a)** one general in relation to all the citizens, **(b)** the other only for the members of the administration. Thus, although the government can regulate its internal workings as it pleases, it can speak to the people only in the name of the sovereign, i.e. of the people itself. This fact should not be forgotten.

The first societies were governed aristocratically. The heads of families consulted with one another on public affairs. The young had no problem giving way to the authority of experience. [Rousseau points out that many labels for political leaders began as words referring to *age*, for example 'senator'. Then:] The savages of North America govern themselves in this way even now, and their government is admirable.

But to the extent that inequalities produced by the social set-up came to predominate over **natural** inequality, riches or power were put before age, and aristocracy became **elective**. Finally, when the father's power was inherited by his offspring, along with his goods, this gave the whole family the status of 'nobles', thus making government **hereditary**—and there came to be 20-year-old senators!

There are then three sorts of aristocracy—natural, elective and hereditary. The first is only for simple peoples; the third is the worst of all governments; the second is the best, and is aristocracy properly so-called.

•Comparing aristocracy with democracy or popular government: Besides the advantage that comes from keeping the two powers distinct from one another, aristocracy has the

advantage that in it the government's members are *chosen*. In popular = democratic government, all the citizens are born magistrates; but in aristocracy the role of magistrate is confined to a few, who are *elected* to that position.<sup>14</sup> By this means uprightness, understanding, experience and all other claims to pre-eminence and public esteem become further guarantees of wise government.

Moreover, •assemblies are more easily held, •affairs are discussed better and done with more order and diligence, and •the state's credibility in the eyes of other states is better maintained, by venerable senators than by a multitude that is unknown or despised.

In brief, the best and most natural arrangement is for *the wisest to govern the multitude*, when it is assured that they will govern for its profit and not for their own. Don't uselessly add to the wheels and springs of the government mechanism, getting thousands of men to do what a hundred picked men can do better. [Rousseau's next sentence is awkward and unclear. Its gist is that with a smallish government there will be a tendency for *its* interests to deflect its activities, so that some of the executive power will come from that source rather than from the wishes of the sovereign, i.e. the will of the entire population.]

In what circumstances is aristocracy the best form of government? Well, the state shouldn't be so small, or the people so simple and upright, that the execution of the laws follows immediately from the public will, as it would in a good democracy. Nor should the nation be so large that its rulers—scattered in order to govern it—are able to play the sovereign each in his own department, and make themselves independent as a step towards becoming masters.

<sup>14</sup> It matters greatly to have laws governing the form of the election of magistrates; for if that is left at the discretion of the prince the government will slide into being an *hereditary* aristocracy, as happened in the republics of Venice and Berne. Thus Venice collapsed as a state, long ago; but the republic of Berne is maintained through its senate's great wisdom; it is an exception—one that is very honourable and very dangerous!

But although aristocracy doesn't demand all the virtues needed by popular government, it demands others that are all its own; for instance, moderation on the part of the rich and contentment on the part of the poor. Note that I am not demanding the abolition of the rich/poor divide, because it seems that thorough-going equality would be out of place; they didn't have it even at Sparta.

If this form of government carries with it a certain inequality of fortune, that is a good thing because it lets the administration of public affairs be entrusted to those who are most able to give them their whole time, but not for Aristotle's reason, namely that the rich should always be put first. On the contrary, it matters that an opposite choice should occasionally teach the people that men's merits are a weightier reason for preference than their wealth.

## 6. Monarchy

So far, we have considered the prince as a **moral** and collective person, unified by the force of the laws, and charged by the state with holding and exercising the executive power. Let us now consider this power when it is gathered into the hands of one **natural** person, one real man, who alone has the right to exercise it in accordance with the laws. Such a person is called a 'monarch' or 'king'.

Whereas in some forms of administration a collective being represents an individual, in this one an individual represents a collective being; so that the moral unity that constitutes the prince is at the same time a physical unity, and all the qualities that in the other case are laboriously brought together •by the law are here •naturally united.

Thus one single motive power generates

- the will of the people,
- the will of the prince,

- the public force of the state, and
- the particular force of the government.

All the springs of the machine are in the same hands, the whole moves towards the same end; there are no conflicting movements that could cancel one another out, and a small input of effort produces a large output of action—indeed we can't *imagine* a kind of constitution with a better input-output ratio. Archimedes, seated quietly on the bank and easily pulling a great vessel through the water with a long lever, represents for me a skilful monarch, governing vast states from his study, moving everything while seeming, himself, not to move.

No government is more vigorous than this, and also there's no government in which the particular will holds more sway and more easily rules the other wills. It is indeed true that 'the whole moves towards a single end', but the end in question is *not* public happiness, and all the energy of this administration is constantly being used to harm the state.

Kings want to be absolute, and the distant cry comes to them 'The best way to do that is to be loved by your people'. This is a fine maxim, and there's even some truth in it; but unfortunately the court will always make fun of it. The power that comes from a people's love is no doubt the greatest; but it is precarious and conditional [= 'vulnerable to changes in circumstances'], and princes will never rest content with it. The best kings want to be so placed that they can be wicked if they want to, without losing their mastery. A political sermoniser may tell them that, because the people's strength is their own, their chief interest is that the people should be •prosperous, •numerous and •formidable; but there's no point in telling them this because they know very well that it's not true! Their first personal interest is that the people should be •weak, •wretched, and •unable to resist

them. I admit that the prince's interest would indeed be that his people should be powerful, so that its power, being his own, would make him formidable to his neighbours—that *would* be in his interests provided he could still keep his subjects in submission. But strength is incompatible with submission, so a prince has to choose; and he naturally gives the preference to the principle that is more to his immediate advantage. That is what Samuel put strongly before the Hebrews [1 *Samuel* 8:10–18], and what Machiavelli has clearly shown. While pretending to teach kings, he was really giving extensive lessons to the people. His *The Prince* is the book of Republicans.<sup>15</sup>

We have found, from general reasons concerning relations between different states, that monarchy is suitable only for great states, and this will be confirmed when we examine monarchy in itself. The more people there are in the public administration, the nearer the prince-to-subjects ratio comes to equality, so that in democracy—where every member of the populace has a role in the government—the ratio is 1:1, or absolute equality. And when the government is progressively restricted in numbers the ratio becomes steeper and reaches its maximum when the government is in the hands of a single person, so that the ratio is 1:n where n = the size of the population. In that case, therefore, there's too much distance between prince and people, and the state isn't properly held together. To bind it there would have to be intermediate orders—dukes, grandees, nobles—to fill the space between the prince and the people. But none of that suits a small state, to which all class differences mean ruin.

[In that passage, 'dukes' mistranslates Rousseau's *princes*. In using that word there, he was unwisely sliding from his usual use of *prince* to stand for whatever person or group governs the state to its more ordinary sense in which it is the label not for a function but for a rank.]

But if it is hard for a big state to be well governed, it's much harder still for it to be well governed by one man; and everyone knows what happens when kings substitute others for themselves!

Monarchical government has an essential and inevitable defect that will always put it below republican government, namely:

Whereas in a **republic** the public voice hardly ever raises to the highest positions men who aren't enlightened and capable, men who will fill those positions honourably, in **monarchies** those who rise to the top are most often merely little muddle-heads, little crooks, little intriguers, whose little talents •get them into the highest positions at court and then, once they are there, •reveal to the public how incompetent they are. The populace is far less often mistaken in this choice than the prince is; and a man of real worth among the •king's• ministers is almost as rare as a fool at the head of a republican government! Thus, when, by good luck one of these born governors takes the helm of the state in some monarchy that has been nearly ruined by those swarms of elegant and socially presentable administrators, there is amazement at the resources he discovers, and this marks an era in his country's history.

<sup>15</sup> Machiavelli was an honest man and a good citizen; but, being attached to the court of the Medici, he had to veil his love of liberty in the midst of his country's oppression. The choice of his detestable hero, 'Cesare Borgia', clearly enough shows his hidden aim; and the contradiction between the teaching of *The Prince* and that of the *Discourses on Livy* and the *History of Florence* shows that this profound political thinker has so far been studied only by superficial or corrupt readers. The court of Rome sternly prohibited his book—*of course* it did! because that's the court that the book most clearly portrays.

[Notice that the defect of monarchy that Rousseau first called 'essential and inevitable' has turned out to be a defect of which monarchies are 'hardly ever' free.]

For a monarchical state to have a chance of being well governed, its population and geographical size must be suitable for the abilities of its governor. It is easier to •conquer than to •rule. With a long enough lever, the world could be •moved with a single finger; •holding it up needs the shoulders of Hercules. However small a state is, the prince is nearly always too small for it. And when on the other hand a state is too *small* for its ruler (this doesn't happen often!), it is still badly governed. That's because the ruler, constantly pursuing his great plans, forgets his people's interests and makes them as wretched by •misusing the talents he has as a more limited ruler would make them because of •the lack of the talents he didn't have. A kingdom should expand or contract, so to speak, with each reign, according to the how able each prince is; whereas •in a republican system• the abilities of a senate are more constant, so that the state can have permanent frontiers without the administration suffering.

The disadvantage that is most felt in monarchical government is the lack of any such continuous succession as both the other forms •of government, democracy and aristocracy• have to provide an unbroken bond of union. A king dies, another is needed; elections leave dangerous gaps and are full of storms; and unless the citizens are disinterested [= not *self*-interested'] and upright to a degree that very seldom goes with this kind of government, intrigue and corruption abound. Someone to whom the state has sold itself can hardly help selling it in his turn and getting back, at the expense of the weak, the money the powerful have extorted from him •as their price for the throne•. Under such an administration, greed for money spreads through every

part •of the kingdom•, and peace enjoyed in *this* way under a king is worse than the disorders of an interregnum [i.e. a period between two kings].

What has been done to prevent these evils? Crowns have been made hereditary in certain families, and an order of succession has been set up, to prevent disputes from arising when kings die. That is to say, the disadvantages of regency [= 'having a stand-in for the king'] have been put in place of the disadvantages of choice; apparent tranquility has been preferred to wise government; and men have preferred •the risk of having children, monstrosities, or imbeciles as rulers to •having disputes over the choice of good kings. It hasn't been taken into account that in thus exposing ourselves to that risk we are loading the dice against ourselves. There was sound sense in what the younger Dionysius said to his father, who reproached him for doing some shameful deed by asking, 'Did I set you the example?' 'Ah,' answered his son, 'your father wasn't a king.' [He meant: 'Your moral education had an advantage that mine didn't.' See the penultimate paragraph of this chapter.]

When a man is set in authority over others, everything conspires to rob him of his sense of justice and reason. Much trouble, we're told, is taken to teach young princes the art of •reigning; but it doesn't seem to do them much good. It would be better to begin by teaching them the art of •obeying. The greatest kings celebrated in history were not brought up to reign: reigning is a science that a man is never so far from having at his command as when he has learned too much of it—a science that he would acquire better by obeying than by commanding. 'The best and shortest way to find out what is good and what is bad is to consider what you would have wanted to happen or not to happen if someone else had been Emperor' (Tacitus, *Histories*, i. 16) [Rousseau quotes this in Latin].

One result of this lack of cohesion is the inconstancy of royal government; regulated now on this scheme and now on that, according to the character of the reigning prince or those who reign for him, such a government can't for long have a fixed objective or a consistent policy; it will always be shifting from slogan to slogan and from project to project—a variability that isn't found in the other forms of government, where the prince [see Glossary] is always the same. So we find that in general if a ·monarchical· court has more plotting, a senate has more wisdom, and republics advance towards their ends by more consistent and better considered policies; whereas every change of minister under a monarch creates a revolution in the state, because the principle that is adopted by all ministers and nearly all kings is to do in everything the reverse of what their predecessors did.

...Royalist political writing likens civil government to domestic government, and the prince to the father of a family—this error has already been refuted—and also lavishly credits the prince with having all the virtues that it would be useful to him to have, and steadily supposes him to be what he ought to be. With the help of this supposition, it is easy to make out that royal government is preferable to all others, because it is unquestionably the •strongest; and in addition to that, all it needs to be the •best—·needs but doesn't have·—is a corporate will that is more in conformity with the general will.

But if Plato is right when he says in *The Statesman* that a 'king by nature' is a rarity, how often will nature and fortune work together to give him a crown? And, if royal education inevitably corrupts those who receive it, what can we hope to get from a series of men brought up to reign? Someone who confuses •royal government with •government by a good king is willfully deceiving himself. To see royal government as it is in itself, we must look at it under princes who are

incompetent or wicked; for either they will be like that when they come to the throne or the throne will make them so.

Our writers know all this, but aren't troubled by it. The remedy, they say, is to obey without a murmur: God angrily sends bad kings, who must be endured as the scourges of heaven. Improving talk, no doubt; but wouldn't it be more in place in a pulpit than in a book on politics? What are we to say about a physician who promises miracles, and whose whole treatment is to urge the sufferer to be patient? When there's bad government we must put up with it—we *know* that already! The question is how to find a good one.

## 7. Mixed governments

Strictly speaking, there's no such thing as a simple ·or un-mixed· government. An isolated ruler must have subordinate magistrates; a popular government must have a head. In the distribution of the executive power, therefore, there is always a gradation from larger to smaller numbers, with this variation: sometimes the greater number depends on the smaller, and sometimes it's the other way around.

Sometimes the distribution is equal: •the constituent parts are in mutual dependence, as in the government of England, or •the authority of each part of the government is independent, but incomplete—·part x has some authority, part y has some, and neither comes under the other·. This last form is bad because there's no unity in the government, and the state has nothing to hold it together.

Which is better, a simple government or a mixed one? Political writers are always debating this question, which should be answered in the same way that I earlier answered ·the corresponding question· about all forms of government.

Simple government is better in itself, just because it is simple. But when the executive power isn't sufficiently



dependent upon the legislative power, i.e. when the prince pushes harder on the sovereign than the people push on the prince, this imbalance should be cured by dividing the government; for all the parts still have as much authority over the subjects, while their division makes them all together less strong against the sovereign.

That same disadvantage is also prevented by the appointment of intermediate magistrates; that leaves the government undivided, and merely balances the two powers—i.e. the government and the sovereign—and maintains their respective rights. This is moderated government, not mixed government.

There's a similar cure for the opposite disadvantage: when the government is too slack, set up tribunals to make it pull itself together. That's what all the democracies do. In the first situation the government is divided to make it weak; in the second it is divided to make it strong; for the maxima of both strength and weakness are found in simple governments, while the mixed forms provide intermediate amounts of strength.

### **8. No one form of government suits all countries**

*Liberty isn't a fruit of every climate, so it isn't within the reach of every people.* The more you think about this principle that Montesquieu laid down, the more you feel its truth; and the more you fight it, the more evidence you find in its favour.

In all the governments in the world the public person consumes without producing. Then where does it get the stuff it consumes? From the labour of its members. The public's necessities are supplied out of the individuals' surpluses. It follows that the civil state can survive only so long as men's labour brings them a return greater than their needs.

The amount of this excess isn't the same in all countries. In some it is considerable, in others middling, in yet others nil, in some even negative. This ·earned:needed· ratio depends on the fertility of the climate, on the kind of work the land demands, on the nature of its products, on the strength of its inhabitants, on how much or little they need to consume, and on other factors that also contribute to the over-all ratio.

On the other side ·of the ratio·, governments aren't all of the same nature: some are less voracious than others, and the differences between them are based on this second principle, that the further the public contributions are from their source, the more burdensome they are. That burden shouldn't be measured by the amount of money involved, but by the distance it has to travel in order to get back to those who paid it. When the circulation is fast and secure, it doesn't matter whether the amount is small or large; the populace is always rich and finances are always in good shape. In the opposite situation, however little the people gives, if that little doesn't get back to it then it is constantly giving, and before long it is exhausted; and in that case the state is never rich and the populace is always a beggar.

It follows that the greater the distance between people and government the more burdensome the taxes are: the people carry the lightest burden in a democracy, a heavier one in an aristocracy, and the heaviest in a monarchy. Thus, monarchy suits only wealthy nations, aristocracy suits ones of middling size and wealth, and democracy suits states that are small and poor.

In fact, the more you think about this the more you'll see it as a difference between free states and monarchies. In free states everything is used for the public advantage; in the others, there's an interplay between the public forces and those of individuals, and as either of them weakens the other

grows strong. In a nutshell: instead of governing subjects to make them happy, despotism makes them wretched in order to govern them.

Thus, in every climate there are natural causes that determine which form of government would be best for it; and we can even say what sort of inhabitants would be best for it.

Harsh and barren lands where the product isn't worth the labour should remain desert and uncultivated, or occupied only by savages; lands where men's labour brings in precisely the bare minimum needed for survival should be inhabited by barbarous peoples: no political structure is possible in such places; lands where there's a middling surplus of product over labour are suitable for free peoples; ones where the soil is abundant and fertile and yields a large product for a little labour call for monarchical government, so that the excessive surpluses among the subjects may be consumed by the luxury of the prince: for it's better for this excess to be absorbed by the government than scattered among the individuals. Yes, I know that there are exceptions; but these exceptions themselves confirm the rule, because sooner or later they produce revolutions that restore things to the natural order.

Let us never confuse general laws with particular causes that might modify the effects of a law. If all the south were covered with republics and all the north with despotic states, it would still be true that. . .despotism is suitable to hot countries, barbarism to cold ones, and good polity to temperate regions. I see also that people who all accept the principle may disagree about its application; someone might say that some cold countries are very fertile, and some tropical ones are barren. But someone who thinks this is a difficulty ·for my position· hasn't looked into this matter thoroughly enough. I repeat, we have to take labour,

strength, consumption etc. into account.

·To get an idea of what I am talking about·, consider this example:

- Two stretches of territory x and y, each has an area of a hundred square miles;
- x brings in five ·loads of corn· and y brings in ten;
- the inhabitants of x consume the equivalent of four loads of corn, while the inhabitants of y consume nine.

Here the amount of surplus is the same, but the ratios of surplus to product are different: in x the surplus is a fifth of the total, in y it is a tenth. . . .

There's no question of x's having twice the product that y has; and I don't think anyone would maintain that in general cold countries are as fertile as hot ones. But suppose that that is how things stand: England is on the same level of fertility as Sicily, and Poland as Egypt—further south we'll have Africa and the Indies; further north, nothing at all. To get this equality of product, what a difference there must be in farming practices! In Sicily they need only to scratch the ground, whereas in England, how men must toil! And where more hands are needed to get the same product, the surplus must be less.

Bear in mind also that men consume much less in hot countries. To stay healthy in those climes one must eat and drink frugally; Europeans who try to live there as they would at home all die of dysentery and indigestion. Chardin writes:

'We are carnivorous animals, wolves, in comparison with the Asians. Some attribute the Persians' frugality to their country's being less cultivated; but I think that that's back to front, and that really their country is less well supplied with foodstuffs because the inhabitants need less. If their frugality were an effect of the land's poverty, only the poor would eat

little; whereas in fact everyone there eats little. Again the consumption level would differ in the different provinces, according to the fertility of their land, whereas in fact the same frugality with food and drink occurs throughout the kingdom. [Plus some remarks about diet in relation to skin-colour.]

The nearer you get to the equator, the less people live on. Meat they hardly touch; rice, maize, couscous, millet and cassava are their standard diet. There are millions of men in the Indies whose food-intake costs less than a halfpenny a day. Even in Europe we see considerable differences of appetite between northern and southern peoples: a Spaniard will live for a week on a German's dinner. . . .

Luxury in clothes shows similar differences. In climates where the seasons are fast and big, men have better and simpler clothes; in lands where they dress only for adornment, they care more about what is striking than about what is useful; clothes themselves are then a luxury. In Naples you can see. . . .men in gold-embroidered vests and no leg-coverings. It is the same with buildings; magnificence is all that matters when there's nothing to fear from the air. In Paris and London, you want to be lodged warmly and comfortably; Madrid has superb salons but no windows that close, and you go to bed in a mere hole.

In hot countries foods are much more substantial and more tasty, and this third difference is bound to have an influence on the second. [He means: an influence on how much people eat. He is evidently leaving clothes out of his enumeration of differences.] Why are so many vegetables eaten in Italy? Because there they are good, nutritious and excellent in taste. In France, where vegetables are nourished only on water, they don't provide nourishment and are hardly listed on menus. They don't take up less ground than in the south, and are at least as much trouble to grow. It is a proved fact

that the wheat of Barbary, in other respects inferior to that of France, yields much more flour, and that France's wheat in turn yields more than wheat in northern countries; from which it's a fair inference that this gradation in wheat-yield holds generally, from equator to pole, is found generally. Well, now, isn't it an obvious disadvantage for an equal amount of product to contain less nourishment?

A further difference between hot and cold countries arises from the previous differences and also strengthens them, namely:

Hot countries have less need of inhabitants than cold ones do, and can support more of them.

There is thus a double surplus—more product, fewer consumers—which is all to the advantage of despotism. **(i)** For any fixed number of inhabitants, the more they are geographically spread out the harder it becomes for them to revolt, because would-be revolutionaries can't act together quickly or secretly: the government can easily unmask their activities thus defeating secrecy, and cut communications thus defeating co-ordination among the revolutionary cells. On the other hand, **(ii)** the more geographically concentrated a population is, the harder it is for the government to usurp the sovereign's place: the people's leaders can deliberate as safely in their houses as the prince can in council, and the crowd gathers as rapidly in the town squares as the prince's troops do in their barracks.

[Although his terminology differs a little, Rousseau is presenting **(i)** and **(ii)** as two sides of a single coin: what the geographical spread defeats, and the geographical concentration encourages, is action by the people (the people's leaders, the planners of revolt, the would-be revolutionaries) against attempts by the government to usurp the powers of sovereignty, thus becoming despotic.]

So a tyrannical government does best when acting at great distances. With the help of the rallying-points it establishes,

its strength grows with distance like that of a lever.<sup>16</sup> The people's strength, on the other hand, acts only when concentrated: when it is spread around it evaporates and is lost, like gunpowder powder scattered on the ground, which doesn't explode but only catches fire grain by grain. The least populous countries are thus the fittest for tyranny: fierce animals reign only in deserts.

### 9. The signs of a good government

So if someone asks 'What is, over-all, the best government?' he has to be told that the question is unanswerable as well as being indeterminate; or you could say that it has as many good answers as there are possible combinations in the absolute and relative situations of all nations.

'Well, by what sign can we tell whether a given people is well or badly governed?'—that's a question of fact that does have an answer.

But we don't have *the* answer to it, because everyone wants to answer it in his own way:

- Subjects praise public tranquility, citizens praise individual liberty;
- some prefer security of possessions, others security of the person;
- some hold that the best government is the most severe, others that it is the mildest;
- some want crimes punished, others want them prevented;
- some want the state to be feared by its neighbours, others prefers that it should keep a low profile and

be ignored;

- some are content as long as money circulates, others demand that the people have bread.

Even if we reached agreement on points like these, would that be any sort of progress? Moral qualities can't be measured exactly, so agreement about the signs of good government could still leave us disagreeing about which actual governments are good ones.

I am continually astonished that such a simple sign of good government isn't recognised, or perhaps men do recognise it but aren't honest enough to say so. What is the purpose of any political association? The preservation and prosperity of its members. And what is the surest sign of their preservation and prosperity? Their number and their population-growth. That's the sign you are looking for. Other things being equal, the unquestionably best government is the one under which the population increases most, without external help from naturalising foreigners or establishing colonies. The government under which the population shrinks is the worst. Over to you, Calculators—count, measure, compare!

•THE NEXT PARAGRAPH WAS ORIGINALLY A SINGLE FOOTNOTE•

That should also be the basis for deciding which centuries have been the best for human prosperity. There has been too much admiration for the times when arts and letters flourished, by people who didn't see the hidden object of their culture, and didn't take into account its fatal effect. 'What ignorant people called "civilized culture" was really an aspect of slavery' (Tacitus, *Agricola*, 31). Will we ever see in the maxims of any book a statement of the vulgar interest that

<sup>16</sup> This doesn't contradict what I said earlier [page 23] about the disadvantages of great states. The topic back there was the government's authority over its members, whereas the present topic is its force against the subjects. Its scattered members serve it as fulcrums for action at a distance by leverage against the people; but the government has no fulcrum for direct action on its own members. Thus for the government the length of the lever is a weakness for one purpose and a strength for the other.

motivates the author? No! Whatever they say, when despite its renown a country is losing population it's not true that all is well there; a poet may have an income of 100,000 francs for saying that his age is the best of all, but that doesn't change anything. Less attention should be paid to •the apparent peace and tranquility of the rulers than to •the well-being of whole nations and especially those with the largest populations. A hail-storm lays several cantons to waste, but it doesn't often create a famine. Outbreaks and civil wars scare rulers, but they aren't the real misfortunes of peoples, who can even relax a little while there's a dispute going on about who shall tyrannise over them. Their real prosperities and calamities come from their permanent condition: it's when the whole remains crushed beneath the yoke that the whole falls into decay. That is when the rulers destroy them at will, and 'Where they create a waste-land, they call it peace' (Tacitus, *Agricola* 31) [Rousseau quotes Tacitus each time in Latin]. When the troubles among the great disturbed the kingdom of France, and the Assistant Bishop of Paris went to the Parliament with a dagger in his pocket, these things didn't prevent the people of France from prospering and multiplying in dignity, in free and honourable ease. There was a time when Greece flourished in the midst of the most savage wars; blood ran in torrents, yet the whole country was covered with inhabitants. It appeared, says Machiavelli, that in the midst of murder, proscription and civil war, our republic did well; the virtue, morality and independence of the citizens

did more to strengthen it than all its dissensions had done to weaken it. A little disturbance energizes the soul; what makes our species truly prosperous is not so much peace as liberty.

### 10. How government is abused. Its tendency to degenerate

Just as the individual will is constantly acting in opposition to the general will, so the government is continually exerting itself against the sovereignty. The more strenuously it does this, the more the constitution changes; and because in this situation there's no other corporate will to create an equilibrium by resisting the will of the prince, eventually the prince will bear down hard on the sovereign and break the social treaty. [Remember that 'the prince' = 'the government', and 'the sovereign' = 'the general will'.] This is the inherent and inevitable defect which, from the very birth of the body politic, tends ceaselessly to destroy it, as age and death eventually destroy the human body.

How does a government degenerate? There are two basic ways: •it shrinks, or •the state is dissolved.

A government *contracts* when it changes from the many to the few, i.e. from democracy to aristocracy, and from aristocracy to monarchy. It has a natural tendency to move in that direction.<sup>17</sup> If a government took the reverse course

<sup>17</sup> The slow formation and the development of the Republic of Venice in its lagoons are a notable instance of this sequence; and it is most astonishing that after more than twelve hundred years' the Venetians seem to be still at the second stage, which they reached with the closing down of the Great Council in 1198. . . . Opponents of my view are sure to cite the Roman Republic, which they will say followed exactly the opposite course, going from monarchy to aristocracy and then to democracy. I don't look at it in anything like that way. What Romulus first set up was a mixed government, which soon deteriorated into despotism. From special causes, that state died an untimely death, as new-born children sometimes die without reaching manhood. The real birth of the Roman republic dates from the expulsion of the Tarquins; but at that time it didn't have a constant form because the job was only half-done: they didn't abolish the nobility. In that way hereditary aristocracy—the worst of all legitimate forms of administration—remained in conflict with democracy, and the form of the government was free-floating and uncertain. It didn't get fixed until this

from the few to the many, it could be said to be *relaxing*; but this reverse sequence is impossible.

Indeed, a government won't change its form unless its unwound spring leaves it too weak to keep the form that it has. If a government relaxed while extending its sphere, its force would become absolutely nil, and it would be even further from being able to survive. So when this starts to happen it is necessary to go back and wind up the spring to get rid of the slack; otherwise the state that it sustains will come to grief.

[In the preceding two paragraphs, Rousseau has spoken of a government's **(i)** contracting or relaxing (= 'expanding'), and then of its **(ii)** being wound up tight or coming unwound. He uses the same French verbs for each of these contrasts. Are these meant to be a single contrast? Well, in the first contrast a government *se resserre* by **becoming smaller, involving fewer people**, whereas in the second contrast you *resserre* a government by **winding up its spring**. Those are not obviously equivalent, but read on.]

The dissolution of the state can come about in either of two ways.

**(1)** When the prince stops governing the state in accordance with the laws, and usurps the sovereign power. Then something remarkable happens: the government doesn't

contract, but the state does; I mean that the great big state is dissolved, and another state is formed within it, •composed solely of the members of the government and •relating to the rest of the people as their master and tyrant. Thus, the moment the government usurps the sovereignty, the social compact is broken, and all private citizens recover by right their natural liberty; they are forced to obey, but they have no obligation to do so.

**(2)** When the members of the government individually usurp the power they should exercise only as a body. This is as great an infraction of the laws, and results in even greater disorders. When this happens there are as many princes as there are magistrates, so to speak, and the state, which is as divided as the government is, either perishes or changes its form.

When the state is dissolved, the abuse of government, whatever it is, bears the common name of 'anarchy'. . . ., democracy degenerates into ochlocracy [= 'mob rule'], and aristocracy degenerates into oligarchy. I would add that royalty degenerates into tyranny, but 'tyranny' is ambiguous and needs explanation.

In the everyday sense of the word, a tyrant is a king who governs with the help of violence and without regard

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was achieved by the establishment of the system of tribunes (Machiavelli has proved this); only *then* was there a true government and a veritable democracy. In fact, the populace was then not only sovereign, but also magistrate and judge; the senate was only a subordinate tribunal, to moderate the government and give it focus; and even the consuls—though they were of the nobility, chief magistrates, absolute generals in war—were in Rome itself no more than the populace's *chairmen* [French *présidents*]. From then onwards the government followed its natural tendency, inclining strongly towards aristocracy. The nobility abolished itself, as it were, and the aristocracy was found no longer

in the body of the hereditary nobility, as at Venice and Genoa, but  
in the body of the senate, which was composed of nobles and commoners, and even  
in the body of tribunes when they began to usurp an active function.

(Don't let the labels get in the way of your thinking about the facts. When the people has rulers who govern for it, the government is an *aristocracy*, whatever label is put on its members.) The abuse of aristocracy led to the civil wars and the triumvirate. Sulla, Julius Caesar and Augustus became in fact real monarchs; and finally, under the despotism of Tiberius the state was dissolved. So Roman history doesn't invalidate the principle I have laid down; it confirms it!

for justice and the laws. In the word's precise sense, a tyrant is an individual who grabs the royal authority without having any right to it. That is how the Greeks understood the word 'tyrant': they applied it even-handedly to good and bad princes whose authority wasn't legitimate. . . . 'Tyrant' and 'usurper' are thus perfectly synonymous terms.

So as to have different labels for different things, I call someone who usurps the royal authority a tyrant, and him who usurps the sovereign power a *despot*. The tyrant is someone who illegally forces his way in, so as to govern in accordance with the laws; the despot is someone who sets himself above even the laws. Thus the tyrant needn't be a despot, but the despot is always a tyrant.

### 11. The death of the body politic

Death is the natural and inevitable tendency of the best constituted governments. If Sparta and Rome perished, what state can hope to last for ever? If we want to establish a long-lived form of government, let us not even *dream* of making it eternal! If we're to succeed, we mustn't attempt the impossible, or flatter ourselves that we are endowing the work of man with a stability that the human condition is not in fact capable of.

The body politic, like the human body, begins to die as soon as it is born, and carries in itself the causes of its destruction. But in each case the life-span may be longer or shorter, depending on whether the constitution is more or less robust. Man's constitution is the work of •nature; the state's constitution is the work of •art, .i.e. it is man-made, *artificial*, not natural. It isn't in men's power to prolong their own lives; but it's up to them to give the state as long a life as possible by giving it the best possible constitution. Even the best constituted state will come to an end; but it

will end later than any other, unless some unforeseen event brings about its premature destruction.

The body politic's source of life lies in the sovereign authority. The legislative power is the state's •heart, and the executive power is its •brain, which puts the parts into motion. It can happen that the brain becomes paralysed while the individual still lives. A man can be an imbecile while staying alive. But as soon as the heart ceases to perform its functions, the animal body is dead.

What keeps the state alive is not •the laws but •the legislative power. Yesterday's law is not binding to-day; but tacit consent is inferred from silence; and when there's a law that •the sovereign could abrogate but doesn't, •it is held to be continuously confirming it. Anything that it has ever declared itself to will it wills always unless it says otherwise.

That's why so much respect is paid to old laws. We should accept that nothing could have preserved them for so long but their own excellence; if the sovereign hadn't recognised them as salutary, it would have cancelled them a thousand times. So in any well constituted state the laws continually grow (not weaker from old age, but) stronger. . . . And wherever the laws grow weak as they age, this shows •that there is no longer a legislative power, and that •the state is dead.

### 12. How the sovereign authority is maintained

The sovereign, having no force except the legislative power, acts only through the laws; and because the laws are just the authentic acts of the general will, the sovereign can't act except when the populace is assembled. 'The populace in assembly—what a fantasy!' you'll want to say. It is so today, but 2000 years ago it wasn't. Has man's nature changed?

The bounds of human possibility are not as confining as

we think they are; they are made to seem to be tight by our weaknesses, our vices, our prejudices that confine them. Low-grade souls have no belief in great men; vile slaves grin mockingly at the name of liberty.

Let's think about what *can be* done, remembering what *has been* done. I shan't discuss the ancient Greek republics; but the Roman republic strikes me as having been a great state, and the town of Rome a great town. The last census reported that Rome had four hundred thousand citizens capable of bearing arms, and the last statement of the population of the Empire showed over four million citizens—and that's not including subject peoples, foreigners, women, children or slaves.

Frequent assembling of the vast population of this capital and its neighbourhood—what a labour that must have been! Yet the Roman people did assemble almost weekly and sometimes even more often. The populace exercised the rights of sovereignty and also some of the rights of government. It transacted some business and judged some cases; and the members of this whole population were in the public meeting-place as magistrates almost as often as they were there as citizens.

If we went back to the earliest history of nations, we would find that most of the ancient governments—even those of monarchical form, such as the Macedonian and the Frankish—had similar councils. Be that as it may, the one unquestionable fact that I have presented about assemblies in Rome is an answer to all difficulties. 'Something exists, so it is possible'—that looks to me like good logic.

### 13. How the sovereign authority is maintained (continued)

It's not enough for the assembled people to have

- fixed the state's constitution on one occasion by giving its assent to a body of laws; or to have
- set up a perpetual government, or to have
- provided once for all for the election of magistrates.

There must also be fixed periodical assemblies that can't be cancelled or postponed, so that on the proper day the populace is legitimately called together by law, without any need for a formal summoning. (This is additional to any special assemblies that may be required in emergencies.)

But apart from these assemblies authorised by their date alone, every assembly of the people not summoned by magistrates appointed for that purpose, in accordance with the prescribed forms, should be regarded as illegitimate, and all its acts as null and void, because *the law* has to be the source of the command to assemble.

How often should these lawful assemblies occur? That depends on so many considerations that exact rules for it can't be given. Still, one can say in general that the stronger a government is the more need there is for the sovereign to show itself often in assemblies of the people.

'This may be all right for a single town,' you'll want to say, 'but what if the state includes several towns? (i) Is the sovereign authority to be divided? (ii) or concentrated in a single town to which all the rest are made subject?' Neither of those, I reply. (i) The sovereign authority is *one* and doesn't have parts; so it can't be divided without being destroyed. (ii) And one town can't legitimately be made subject to another, any more than one nation can; because the essence of the body politic lies in the harmony of obedience with liberty, and the words 'subject' and 'sovereign' are precisely complementary, the concepts being united in the single word 'citizen'.

I reply also that it's always bad to unify several towns in a single city, and that anyone wanting to do this had better



be ready for its natural disadvantages. [In the past several pages Rousseau has written not of 'cities' but of 'states', and in the next few paragraphs he flips back to 'states'. This confirms the apparent upshot of the footnote on page 7, where he seems to equate these two.]. . . . But how can small states be given the strength to resist great ones? By alliances, as the Greek towns once resisted the great Persian king Xerxes, and as Holland and Switzerland, more recently, have resisted the House of Austria.

But if a state can't be kept within proper limits, there's one thing that can be done, namely:

Don't have a capital, move the seat of government from town to town, and assemble by turn in each of the provincial estates of the country. Populate the territory evenly, extend the same rights to everyone, bring abundance and life everywhere.

By these means the state will become as strong and as well governed as it possibly could be. In preparing for such a state, don't make grandiose provision for government in each of the towns where it will temporarily reside. Remember that the walls of towns are built entirely out of the ruins of the houses of the countryside! For every palace I see raised in a capital, my mind's eye sees a whole country made desolate.

#### **14. How the sovereign authority is maintained (continued)**

The moment the populace is legitimately assembled as a sovereign body, the jurisdiction of the government wholly lapses, the executive power is suspended, and the person of a citizen at the bottom of the social heap is as sacred and inviolable as that of the first magistrate; because representatives no longer exist in the presence of whatever

it was they represented. Most of the tumults that arose in the *comitia* in Rome were due to ignorance or neglect of this rule. [Re *comitia*: see page 61.] The consuls were in them merely the people's chairmen; the tribunes were mere speakers;<sup>18</sup> the senate was nothing at all.

These intervals of suspension during which the prince recognises or ought to recognise an actual superior—namely the assembled populace, the sovereign—have always been, from his point of view, a threat; and these assemblies of the people, which are the protective shield around the body politic and the curb on the government, have always been the horror of rulers. That's why rulers spare no pains, objections, difficulties, and promises to stop the citizens from having them. When the citizens are greedy, cowardly, and small-minded, and love ease more than liberty, they don't long hold out against the redoubled efforts of the government; and thus, as the resisting force exercised by the government keeps growing, the sovereign authority eventually disappears, and most cities fall and perish before their time. [In that paragraph, the words 'the prince. . . his. . .' could as well have been 'the government. . . its. . .'; for Rousseau those are strictly equivalent. The two formulations don't feel as different in French, in which 'he' and 'his' are not distinguished from 'it' and 'its'.]

But between the sovereign authority and arbitrary government there sometimes comes to be an intervening power about which something must be said.

<sup>18</sup> In nearly the same sense as 'speaker' has in the English parliament. The similarity of these functions would have brought the consuls and the tribunes into conflict even when all jurisdiction had been suspended.

## 15. Deputies or representatives

As soon as public service stops being the chief business of the citizens, and they prefer to serve with their money rather than with their persons, the state is not far from its collapse. They are needed to march out to war? they pay troops and stay at home. They are needed to meet in council? they name deputies and stay at home. By force of laziness and money, they end up with soldiers to enslave their country and representatives to sell it.

It is through the hustle of commerce and the trades, through the greedy concern for profit, and through softness and love of amenities, that personal services are replaced by money. Men surrender a part of their profits so as to have time to increase them at leisure. And they don't see how dangerous this is. Give money and before long you'll be in chains! This word 'finance' is slave talk; you won't encounter it in the city-state. In a truly free country the citizens do everything with their own muscles, and nothing with money; far from paying to be excused from their duties, they would even pay to be allowed to perform them. My view on this topic is far from the common one: I regard forced labour as less opposed to liberty than taxes are. [The French is *taxes*; it could mean something like 'fees imposed by the government'.]

The better a state's constitution is, the more public affairs outrank private concerns in the minds of the citizens. There won't even *be* as many private concerns as there are in a less well constituted state, because the aggregate of the common happiness provides a bigger proportion of the happiness of each individual, so that there's less for him to do in taking care of his own needs and desires. In a well-ordered city every man flies to the assemblies; under a bad government no-one wants to take a step to get there, because

- no-one is interested in what happens there, and because
- it can be seen in advance that the general will won't prevail, and lastly because
- domestic cares are all-absorbing.

Good laws lead to the making of better ones; bad ones bring about worse. As soon as anyone says of the affairs of the state 'What do I care?', the state may be given up for lost.

The lukewarmness of patriotism, the activity of private interest, the vastness of states, conquest and the abuse of government suggested the method of having deputies or representatives of the people in the national assemblies. Some men in some countries have presumed to call these 'the Third Estate'; notice *third*!—putting the individual interest of the nobility and the clergy first and second, and the public interest *third*.

Sovereignty can't be represented, for the same reason that it can't be alienated [see Glossary]; what sovereignty essentially *is* is the general will, and a will can't be represented; something purporting to speak for the will of *x* either is the will of *x* or it is something else; there is no intermediate possibility, i.e. something that isn't exactly *x*'s will but isn't outright *not x*'s will either. The people's deputies, therefore, *can't* be its representatives: they are merely its agents, and can't settle anything by themselves. Any 'law' that the populace hasn't ratified in person is null and void—it isn't a law. The English populace regards itself as free, but that's quite wrong; it is free only during the election of members of parliament. As soon as they are elected, the populace goes into slavery, and is nothing. The use it makes of its short moments of liberty shows that it deserves to lose its liberty!

The idea of *representation* is modern; it comes to us from feudal government, from that iniquitous and absurd system that degrades humanity and dishonours the name of man.

In ancient republics and even in monarchies, the people never had representatives; the word itself was unknown. It is remarkable •that in Rome, where the tribunes were so sacrosanct, no-one ever imagined that they could usurp the functions of the people, and •that in the midst of so great a multitude they never tried to conduct a public referendum on their own authority. Still, we can gauge the difficulties sometimes caused by the size of those crowds from what happened at the time of the Gracchi, when some of the citizens had to cast their votes from the roof-tops.

Where right and liberty are everything, disadvantages are nothing. Among this wise people—the ancient Romans—everything was given its just value: its lictors were allowed to do what its tribunes would never have dared to do, because it had no fear that its lictors would try to represent it.

You'll understand how the tribunes *did* sometimes represent the people if you think about how the government represents the sovereign. Law being nothing but the declaration of the general will, it's clear that the populace in its law-making capacity can't be represented; but in respect of the executive power—which is only the force that is applied to implementing the law—it can and *should* be represented. We thus see that if we looked closely into the matter we would find that very few nations have any laws! Be that as it may, it is certain that the tribunes, having no executive power, could never represent the Roman people •by right of the powers entrusted to them, but only •by usurping the rights of the senate.

In Greece, all that the populace had to do, it did for itself; it was constantly assembled in the public square.

The Greeks lived in a mild climate; they weren't greedy; slaves did their work for them; their great concern was with liberty. Lacking those advantages, how can you preserve those rights? Your harsher climates add to your needs;<sup>19</sup> for half the year your public squares are uninhabitable; the flatness of your languages unfits them for being heard in the open air; you put more into profit than into liberty, and fear slavery less than you fear poverty.

What?! Is liberty maintained only with help from slavery? It may be so. Extremes meet. Everything that isn't in the course of nature has its drawbacks, especially civil society. There are some unhappy circumstances where we can't keep our liberty except at others' expense, and where the citizen can be perfectly free only when the slave is most a slave. That's how things stood at Sparta. As for you, modern peoples, you don't *have* slaves but you *are* slaves; you pay for their liberty with your own. Boast away about this preference—I find in it more cowardice than humanity.

I don't mean that one ought to have slaves, or that the right of slavery is legitimate (I have shown that it isn't). I'm merely saying why modern peoples, thinking they are free, have representatives, whereas ancient peoples didn't. Be that as it may, the moment a people allows itself to be represented, it stops being free—it stops being.

All things considered, I don't see that it is any longer possible for the sovereign to preserve among us the exercise of its rights, unless the city is very small. But if it is very small, won't it be conquered? No. I'll show later on how a the external strength of a great people can be combined with the smooth politics and good order of a small state.<sup>20</sup>

<sup>19</sup> To adopt in cold countries the luxury and effeminacy of the East is to want to submit to its chains—indeed to bow to them far more inevitably in our case than in theirs.

<sup>20</sup> I had intended to do this in the sequel to the present work, when in dealing with external relations I came to the subject of confederations. The subject is quite new, and its principles have still to be laid down.

## 16. What establishes government isn't a contract

Once the legislative power has been well established, the next thing is to establish also the executive power; for this latter, which works only through particular actions, isn't part of the essence of the former and so is naturally separate from it. If the sovereign *qua* sovereign could possess the executive power, right and fact would be so mixed together that no-one could tell what was law and what wasn't; and the body politic, thus disfigured, would soon fall prey to the violence it was instituted to prevent.

Because the citizens are, by the social contract, all equal, they can all prescribe anything that all of them should do; whereas no-one has a right to demand that someone else shall do something that he doesn't do himself. It is *this* right that the sovereign, in instituting the government, confers upon the prince. It's a right that the prince has to have because it is indispensable for giving life and movement to the body politic.

Many theorists have claimed that this act of establishment was a contract between the people and the rulers it sets over itself—a contract specifying the conditions under which one of the two parties was obliged to command and the other was obliged to obey. I'm sure you'll agree with me that that would be an odd kind of contract to enter into! But let us see if this view can be upheld. I'll give three reasons why it can't.

**(1)** The supreme authority can no more be modified than it can be alienated; to limit it is to destroy it. It is absurd and contradictory to suppose that the sovereign might set a superior over itself; binding itself to obey a master would be returning to the terrible chaos of absolute liberty.

**(2)** Moreover, it is clear that this contract between the people and such-and-such individuals would be a particular

act; and from this it follows that it can't be a law or an act of sovereignty, and that consequently it would be illegitimate.

**(3)** It's obvious also that in this supposed contract the contracting parties would be under nothing but the law of nature, with no guarantees of their mutual undertakings—which would be wholly at variance with the civil state. Someone who has force at his command is always in a position to control execution, so the idea that I'm attacking would be on a par with giving the label 'contract' to the act of one man who said to another: 'I give you all my goods, on condition that you give me back as much of them as you please.'

There's only one contract in the state; it is the contract of association, which single-handedly rules out any others. It is impossible to conceive of any public contract that wouldn't violate the first one.

## 17. What *does* establish government

Under what general idea then should we conceive the act by which government is instituted? I'll start by saying that the act is complex, i.e. is composed of two others—**(i)** the establishment of the law and **(ii)** the execution of the law.

By **(i)** the sovereign decrees that there's to be a governing body established in such-and-such a form; this act is clearly a law.

By **(ii)** the populace picks the rulers who are to run the government that has been established. This selection is a particular act; so it's clearly not another law, but merely a consequence of the first and a function of government [= 'an act of the government'].

But there's a difficulty: How can there be an act of the government before the government exists? And how can the populace, which is only sovereign or subject, become a prince or magistrate under certain circumstances?

[The former of those two questions arises straight out of what Rousseau has just been saying, but the latter question doesn't. We know his thesis that the populace—the totality of the people—is the •sovereign through the exercise of its general will, and is the set of •subjects because of their obligation to obey the government. And we recall that back at page 33 he seemed to countenance the idea that the governing body might reach the upper limit of numerosness by admitting every citizen into it. He raises the matter again here because, it seems, he thinks it helps him to answer the former of the two questions.]

At this point we encounter one of the astonishing properties of the body politic, by means of which it reconciles apparently contradictory operations: this is done by a sudden conversion of •sovereignty into •democracy, so that with no change that anyone could see and purely through a new relation of all to all, the citizens become magistrates and pass from general acts to particular acts, from legislation to the execution of the law.

This change of relationship isn't a theoretician's subtlety with no examples out there in the world. It happens every day in the English parliament, where on certain occasions the Lower House turns itself into a 'committee of the whole' so as to have a better discussion of affairs, so that from being at one moment a sovereign court it becomes at the next a mere commission, 'an organ of government'; then it reports the upshot of these discussions to itself as House of Commons, where it debates under one name what it has already settled under another.

That's the special advantage of democratic government—that it can be brought into existence by a simple act of the general will. And then this provisional government remains in power, if that's what was decided, or else it, acting in the name of the sovereign, establishes the government that is prescribed by law; and thus the whole thing is done by the rules. That's the only possible way to set up government

legitimately and in accordance with the principles I have laid down.

### **18. How to protect the government from being taken over**

What I have just said confirms chapter 16, and makes it clear •that the act that institutes government is not a contract, but a law; •that the recipients of the executive power are not the people's masters, but its officers; •that it can set them up and pull them down when it likes; •that for them there is no question of contract, but of obedience; and •that in taking over the functions the state has assigned to them they're only doing their duty as citizens, without having the any right to challenge the conditions.

So when the populace sets up a hereditary government—whether monarchical within one family or aristocratic within one ·social· class—it isn't making any promises. All it's doing is to give the administration a certain form, *provisionally*, to last until it pleases the people to make some other arrangement.

It's true that such changes are always dangerous, and that an established government shouldn't be touched unless it has come into conflict with the public good; but this is just a note of warning, a maxim of policy; it isn't a legal rule, and the state is no more bound to leave civil authority in the hands of its rulers than it is to leave military authority in the hands of its generals.

Care should be taken in such cases to observe all the formalities that are required if a regular and legitimate act is to be distinguished from a seditious tumult, and the will of a whole people distinguished from the clamour of a faction. 'Care should be taken'—it would be impossible to take too much care! [This next bit expands something that Rousseau wrote

using an old legal term.] Here above all the government, when confronted with claims of rights that it thinks would be especially dangerous to allow, should allow only what it legally *must*. This obligation gives the prince a great advantage in preserving his power despite the people, without its being possible to say he has usurped it; for, seeming only to •exercise his rights, he finds it very easy to •extend them, and to use the ‘keeping the peace’ excuse to prevent gatherings that were to have been aimed at restoring order. In this way he takes advantage of •a silence that he doesn’t allow to be broken, or of •irregularities that he causes to be committed, to •assume that he has the support of those whom fear prevents from speaking, and to •punish those who dare to speak. That is how ancient Rome’s decemvirs, first elected for one year and then kept on in office for a second, tried to make their power permanent by forbidding the *comitia* to assemble; and by this easy method every government in the world, once it is clothed with the public power, sooner or later usurps the sovereign authority. [The decemvirs were a ten-man committee which was, in Rousseau’s sense of the word, ‘a prince’. Of course a committee is an ‘it’, not a ‘he’ as a prince is—in English, but French doesn’t have different words for ‘he’ and ‘it’; see the note on page 48.]

The periodical assemblies that I spoke of earlier [page 47] are a device for preventing or postponing this calamity. Their chance of succeeding in that is greater if they don’t have to be formally summoned, because then the prince can’t stop them without openly declaring himself a law-breaker and an enemy of the state.

These assemblies, whose sole object is the maintenance of the social treaty, should open by the posing of two questions that •must never be suppressed and •should be voted on separately:

- (1) ‘Does it please the sovereign to preserve the present form of government?’
- (2) ‘Does it please the people to leave its administration in the hands of those who are currently in charge of it?’

I’m assuming here something that I think I have shown, namely that there is in the state no fundamental law that can’t be revoked. Even the social compact itself can be revoked: if all the citizens came together for the agreed purpose of breaking the compact, there’s no doubt that this would very legitimately break it. Grotius even thinks that each man can renounce his membership of his own state, and recover his natural liberty and his goods on leaving the country.<sup>21</sup> It would be absurd if all the citizens in assembly couldn’t do something that each can do by himself.

<sup>21</sup> Provided, of course, that he doesn’t leave to escape his obligations and avoid having to serve his country just when it needs him. Flight that case would be criminal and punishable; it wouldn’t be a withdrawal but a desertion.