

The Social Contract

by Jean-Jacques Rousseau
(1712–1778)

BOOK I

1 I mean to inquire if, in the civil order, there can be any sure and legitimate rule of
administration, men being taken as they are and laws as they might be. In this
inquiry, I shall endeavor always to unite what right sanctions with what is
prescribed by interest, in order that justice and utility may in no case be divided.

5 I enter upon my task without proving the importance of the subject. I shall be
asked if I am a prince or a legislator, to write on politics. I answer that I am neither,
and that is why I do so. If I were a prince or a legislator, I should not waste time
in saying what wants doing; I should do it, or hold my peace.

10 As I was born a citizen of a free State, and a member of the Sovereign, I feel that,
however feeble the influence my voice can have on public affairs, the right of voting
on them makes it my duty to study them: and I am happy, when I reflect upon
governments, to find my inquiries always furnish me with new reasons for loving
that of my own country.

15 I. SUBJECT OF THE FIRST BOOK

Man is born free; and everywhere he is in chains. One thinks himself the master
of others, and still remains a greater slave than they. How did this change come
about? I do not know. What can make it legitimate? That question I think I can
20 answer.

If I took into account only force, and the effects derived from it, I should say:
“As long as a people is compelled to obey, and obeys, it does well; as soon as it can
shake off the yoke, and shakes it off, it does still better; for, regaining its liberty by
the same right as took it away, either it is justified in resuming it, or there was no
25 justification for those who took it away.” But the social order is a sacred right which
is the basis of all other rights. Nevertheless, this right does not come from nature,
and must therefore be founded on conventions. Before coming to that, I have to
prove what I have just asserted.

1 2. THE FIRST SOCIETIES

The most ancient of all societies, and the only one that is natural, is the family: and even so the children remain attached to the father only so long as they need him
 5 for their preservation. As soon as this need ceases, the natural bond is dissolved. The children, released from the obedience they owed to the father, and the father, released from the care he owed his children, return equally to independence. If they remain united, they continue so no longer naturally, but voluntarily; and the family itself is then maintained only by convention.

10 This common liberty results from the nature of man. His first law is to provide for his own preservation, his first cares are those which he owes to himself; and, as soon as he reaches years of discretion, he is the sole judge of the proper means of preserving himself, and consequently becomes his own master.

The family then may be called the first model of political societies: the ruler
 15 corresponds to the father, and the people to the children; and all, being born free and equal, alienate their liberty only for their own advantage. The whole difference is that, in the family, the love of the father for his children repays him for the care he takes of them, while, in the State, the pleasure of commanding takes the place of the love which the chief cannot have for the peoples under him.

20 Grotius denies that all human power is established in favour of the governed, and quotes slavery as an example. His usual method of reasoning is constantly to establish right by fact. It would be possible to employ a more logical method, but none could be more favourable to tyrants.

It is then, according to Grotius, doubtful whether the human race belongs to
 25 a hundred men, or that hundred men to the human race: and throughout his book, he seems to incline to the former alternative, which is also the view of Hobbes. On this showing, the human species is divided into so many herds of cattle, each with its ruler, who keeps guard over them for the purpose of devouring them.

As a shepherd is of nature superior to that of his flock, the shepherds of men,
 30 i.e., their rulers, are of a nature superior to that of the peoples under them. Thus, Philo tells us, the Emperor Caligula reasoned, concluding equally well either that kings were gods, or that men were beasts.

The reasoning of Caligula agrees with that of Hobbes and Grotius. Aristotle,
 35 before any of them, had said that men are by no means equal naturally, but that some are born for slavery, and others for dominion.

Aristotle was right; but he took the effect for the cause. Nothing can be more
 certain than that every man born in slavery is born for slavery. Slaves lose everything in their chains, even the desire of escaping from them: they love their servitude, as the comrades of Ulysses loved their brutish condition. If then there
 40 are slaves by nature, it is because there have been slaves against nature. Force made the first slaves, and their cowardice perpetuated the condition.

I have said nothing of King Adam, or Emperor Noah, father of the three great monarchs who shared out the universe, like the children of Saturn, whom some

1 scholars have recognised in them. I trust to getting due thanks for my moderation;
 for, being a direct descendant of one of these princes, perhaps of the eldest branch,
 how do I know that a verification of titles might not leave me the legitimate king
 of the human race? In any case, there can be no doubt that Adam was sovereign
 5 of the world, as Robinson Crusoe was of his island, as long as he was its only
 inhabitant; and this empire had the advantage that the monarch, safe on his throne,
 had no rebellions, wars, or conspirators to fear.

3. THE RIGHT OF THE STRONGEST

10 The strongest is never strong enough to be always the master, unless he transforms
 strength into right, and obedience into duty. Hence the right of the strongest,
 which, though to all seeming meant ironically, is really laid down as a fundamental
 principle. But are we never to have an explanation of this phrase? Force is a
 15 physical power, and I fail to see what moral effect it can have. To yield to force is
 an act of necessity, not of will—at the most, an act of prudence. In what sense can
 it be a duty?

Suppose for a moment that this so-called “right” exists. I maintain that the sole
 result is a mass of inexplicable nonsense. For, if force creates right, the effect
 20 changes with cause: every force that is greater than the first succeeds to its right.
 As soon as it is possible to disobey with impunity, disobedience is legitimate; and,
 the strongest being always in the right, the only thing that matters is to act so as
 to become the strongest. But what kind of right is that which perishes when force
 fails? If we must obey perforce, there is no need to obey because we ought; and if
 25 we are not forced to obey, we are under no obligation to do so. Clearly, the word
 “right” adds nothing to force: in this connection, it means absolutely nothing.

Obey the powers that be. If this means yield to force, it is a good precept, but
 superfluous: I can answer for its never being violated. All power comes from God,
 I admit; but so does all sickness: does that mean that we are forbidden to call in the
 30 doctor? A brigand surprises me at the edge of a wood: must I not merely surrender
 my purse on compulsion; but, even if I could withhold it, am I in conscience bound
 to give it up? For certainly the pistol he holds is also a power.

Let us then admit that force does not create right, and that we are obliged to
 obey only legitimate powers. In that case, my original question recurs.

4. SLAVERY

35 Since no man has a natural authority over his fellow, and force creates no right, we
 must conclude that conventions form the basis of all legitimate authority among
 40 men.

If an individual, says Grotius, can alienate his liberty and make himself the
 slave of a master, why could not a whole people do the same and make itself subject
 to a king? There are in this passage plenty of ambiguous words which would need

4 The Social Contract

1 explaining; but let us confine ourselves to the word alienate. To alienate is to give
or to sell. Now, a man who becomes the slave of another does not give himself; he
sells himself, at the least for his subsistence: but for what does a people sell itself?
A king is so far from furnishing his subjects with their subsistence that he gets his
5 own only from them; and, according to Rabelais, kings do not live on nothing. Do
subjects then give their persons on condition that the king takes their goods also?
I fail to see what they have left to preserve.

It will be said that the despot assures his subjects civil tranquility. Granted; but
what do they gain, if the wars his ambition brings down upon them, his insatiable
10 avidity, and the vexatious conduct of his ministers press harder on them than their
own dissensions would have done? What do they gain, if the very tranquility they
enjoy is one of their miseries? Tranquility is found also in dungeons; but is that
enough to make them desirable places to live in? The Greeks imprisoned in the
cave of the Cyclops lived there very tranquilly, while they were awaiting their turn
15 to be devoured.

To say that a man gives himself gratuitously, is to say what is absurd and
inconceivable; such an act is null and illegitimate, from the mere fact that he who
does it is out of his mind. To say the same of a whole people is to suppose a people
of madmen; and madness creates no right.

20 Even if each man could alienate himself, he could not alienate his children:
they are born men and free; their liberty belongs to them, and no one but they has
the right to dispose of it. Before they come to years of discretion, the father can,
in their name, lay down conditions for their preservation and well-being, but he
cannot give them irrevocably and without conditions: such a gift is contrary to the
25 ends of nature, and exceeds the rights of paternity. It would therefore be necessary,
in order to legitimise an arbitrary government, that in every generation the people
should be in a position to accept or reject it; but, were this so, the government
would be no longer arbitrary.

To renounce liberty is to renounce being a man, to surrender the rights of
30 humanity and even its duties. For him who renounces everything no indemnity is
possible. Such a renunciation is incompatible with man's nature; to remove all
liberty from his will is to remove all morality from his acts. Finally, it is an empty
and contradictory convention that sets up, on the one side, absolute authority,
and, on the other, unlimited obedience. Is it not clear that we can be under no
35 obligation to a person from whom we have the right to exact everything? Does not
this condition alone, in the absence of equivalence or exchange, in itself involve
the nullity of the act? For what right can my slave have against me, when all that
he has belongs to me, and, his right being mine, this right of mine against myself
is a phrase devoid of meaning?

40 Grotius and the rest find in war another origin for the so-called right of slavery.
The victor having, as they hold, the right of killing the vanquished, the latter can
buy back his life at the price of his liberty; and this convention is the more
legitimate because it is to the advantage of both parties.

1 But it is clear that this supposed right to kill the conquered is by no means deducible from the state of war. Men, from the mere fact that, while they are living in their primitive independence, they have no mutual relations stable enough to constitute either the state of peace or the state of war, cannot be naturally enemies.

5 War is constituted by a relation between things, and not between persons; and, as the state of war cannot arise out of simple personal relations, but only out of real relations, private war, or war of man with man, can exist neither in the state of nature, where there is no constant property, nor in the social state, where everything is under the authority of the laws.

10 Individual combats, duels and encounters, are acts which cannot constitute a state; while the private wars, authorised by the Establishments of Louis IX, King of France, and suspended by the Peace of God, are abuses of feudalism, in itself an absurd system if ever there was one, and contrary to the principles of natural right and to all good polity.

15 War then is a relation, not between man and man, but between State and State, and individuals are enemies only accidentally, not as men, nor even as citizens, but as soldiers; not as members of their country, but as its defenders. Finally, each State can have for enemies only other States, and not men; for between things disparate in nature there can be no real relations.

20 Furthermore, this principle is in conformity with the established rules of all times and the constant practice of all civilised peoples. Declarations of war are intimations less to powers than to their subjects. The foreigner, whether king, individual, or people, who robs, kills or detains the subjects, without declaring war on the prince, is not an enemy, but a brigand. Even in real war, a just prince, while
25 laying hands, in the enemy's country, on all that belongs to the public, respects the lives and goods of individuals: he respects rights on which his own are founded. The object of the war being the destruction of the hostile State, the other side has a right to kill its defenders, while they are bearing arms; but as soon as they lay them down and surrender, they cease to be enemies or instruments of the enemy, and
30 become once more merely men, whose life no one has any right to take. Sometimes it is possible to kill the State without killing a single one of its members; and war gives no right which is not necessary to the gaining of its object. These principles are not those of Grotius: they are not based on the authority of poets, but derive from the nature of reality and based on reason.

35 The right of conquest has no foundation other than the right of the strongest. If war does not give the conqueror the right to massacre the conquered peoples, the right to enslave them cannot be based upon a right which does not exist. No one has a right to kill an enemy except when he cannot make him a slave, and the right to enslave him cannot therefore be derived from the right to kill him. It is
40 accordingly an unfair exchange to make him buy at the price of his liberty his life, over which the victor holds no right. Is it not clear that there is a vicious circle in founding the right of life and death on the right of slavery, and the right of slavery on the right of life and death?

6 The Social Contract

1 Even if we assume this terrible right to kill everybody, I maintain that a slave
made in war, or a conquered people, is under no obligation to a master, except to
obey him as far as he is compelled to do so. By taking an equivalent for his life, the
victor has not done him a favour; instead of killing him without profit, he has killed
5 him usefully. So far then is he from acquiring over him any authority in addition
to that of force, that the state of war continues to subsist between them: their
mutual relation is the effect of it, and the usage of the right of war does not imply
a treaty of peace. A convention has indeed been made; but this convention, so far
from destroying the state of war, presupposes its continuance.

10 So, from whatever aspect we regard the question, the right of slavery is null and
void, not only as being illegitimate, but also because it is absurd and meaningless.
The words *slave* and *right* contradict each other, and are mutually exclusive. It will
always be equally foolish for a man to say to a man or to a people: "I make with you
a convention wholly at your expense and wholly to my advantage; I shall keep it
15 as long as I like, and you will keep it as long as I like."

5. THAT WE MUST ALWAYS GO BACK TO A FIRST CONVENTION

Even if I granted all that I have been refuting, the friends of despotism would be
20 no better off. There will always be a great difference between subduing a multitude
and ruling a society. Even if scattered individuals were successively enslaved by
one man, however numerous they might be, I still see no more than a master and
his slaves, and certainly not a people and its ruler; I see what may be termed an
aggregation, but not an association; there is as yet neither public good nor body
25 politic. The man in question, even if he has enslaved half the world, is still only an
individual; his interest, apart from that of others, is still a purely private interest.
If this same man comes to die, his empire, after him, remains scattered and without
unity, as an oak falls and dissolves into a heap of ashes when the fire has consumed
it.

30 A people, says Grotius, can give itself to a king. Then, according to Grotius, a
people is a people before it gives itself. The gift is itself a civil act, and implies public
deliberation. It would be better, before examining the act by which a people gives
itself to a king, to examine that by which it has become a people; for this act, being
necessarily prior to the other, is the true foundation of society.

35 Indeed, if there were no prior convention, where, unless the election were
unanimous, would be the obligation on the minority to submit to the choice of the
majority? How have a hundred men who wish for a master the right to vote on
behalf of ten who do not? The law of majority voting is itself something established
by convention, and presupposes unanimity, on one occasion at least.

1 **6. THE SOCIAL COMPACT**

I suppose men to have reached the point at which the obstacles in the way of their preservation in the state of nature show their power of resistance to be greater than
 5 the resources at the disposal of each individual for his maintenance in that state. That primitive condition can then subsist no longer; and the human race would perish unless it changed its manner of existence.

But, as men cannot engender new forces, but only unite and direct existing ones, they have no other means of preserving themselves than the formation, by
 10 aggregation, of a sum of forces great enough to overcome the resistance. These they have to bring into play by means of a single motive power, and cause to act in concert.

This sum of forces can arise only where several persons come together: but, as the force and liberty of each man are the chief instruments of his self-preservation,
 15 how can he pledge them without harming his own interests, and neglecting the care he owes to himself? This difficulty, in its bearing on my present subject, may be stated in the following terms:

The problem is to find a form of association which will defend and protect with the whole common force the person and goods of each associate, and in which
 20 each, while uniting himself with all, may still obey himself alone, and remain as free as before.

This is the fundamental problem of which the Social Contract provides the solution.

The clauses of this contract are so determined by the nature of the act that the
 25 slightest modification would make them vain and ineffective; so that, although they have perhaps never been formally set forth, they are everywhere the same and everywhere tacitly admitted and recognised, until, on the violation of the social compact, each regains his original rights and resumes his natural liberty, while losing the conventional liberty in favour of which he renounced it.

30 These clauses, properly understood, may be reduced to one—the total alienation of each associate, together with all his rights, to the whole community; for, in the first place, as each gives himself absolutely, the conditions are the same for all; and, this being so, no one has any interest in making them burdensome to others.

35 Moreover, the alienation being without reserve, the union is as perfect as it can be, and no associate has anything more to demand: for, if the individuals retained certain rights, as there would be no common superior to decide between them and the public, each, being on one point his own judge, would ask to be so on all; the state of nature would thus continue, and the association would necessarily become
 40 inoperative or tyrannical.

8 The Social Contract

1 Finally, each man, in giving himself to all, gives himself to nobody; and as there is no associate over whom he does not acquire the same right as he yields others over himself, he gains an equivalent for everything he loses, and an increase of force for the preservation of what he has.

5 If then we discard from the social compact what is not of its essence, we shall find that it reduces itself to the following terms:

Each of us puts his person and all his power in common under the supreme direction of the general will, and, in our corporate capacity, we receive each member as an indivisible part of the whole.

10 At once, in place of the individual personality of each contracting party, this act of association creates a moral and collective body composed of as many members as the assembly contains votes, and receiving from this act its unity, its common identity, its life and its will. This public person, so formed by the union of all other persons formerly took the name of city, and now takes that of Republic
15 or body politic; it is called by its members State when passive, Sovereign when active, and Power when compared with others like itself. Those who are associated in it take collectively the name of people, and severally are called citizens, as sharing in the sovereign power, and subjects, as being under the laws of the State. But these terms are often confused and taken one for another; it is enough to know
20 how to distinguish them when they are being used with precision.

7. THE SOVEREIGN

This formula shows us that the act of association comprises a mutual undertaking
25 between the public and the individuals, and that each individual, in making a contract, as we may say, with himself, is bound in a double capacity; as a member of the Sovereign he is bound to the individuals, and as a member of the State to the Sovereign. But the maxim of civil right, that no one is bound by undertakings made to himself, does not apply in this case; for there is a great difference between
30 incurring an obligation to yourself and incurring one to a whole of which you form a part.

Attention must further be called to the fact that public deliberation, while competent to bind all the subjects to the Sovereign, because of the two different capacities in which each of them may be regarded, cannot, for the opposite reason,
35 bind the Sovereign to itself; and that it is consequently against the nature of the body politic for the Sovereign to impose on itself a law which it cannot infringe. Being able to regard itself in only one capacity, it is in the position of an individual who makes a contract with himself; and this makes it clear that there neither is nor can be any kind of fundamental law binding on the body of the people—not even
40 the social contract itself. This does not mean that the body politic cannot enter into undertakings with others, provided the contract is not infringed by them; for in relation to what is external to it, it becomes a simple being, an individual.

But the body politic or the Sovereign, drawing its being wholly from the sanctity of the contract, can never bind itself, even to an outsider, to do anything

1 derogatory to the original act, for instance, to alienate any part of itself, or to submit
to another Sovereign. Violation of the act by which it exists would be self-
annihilation; and that which is itself nothing can create nothing.

As soon as this multitude is so united in one body, it is impossible to offend
5 against one of the members without attacking the body, and still more to offend
against the body without the members resenting it. Duty and interest therefore
equally oblige the two contracting parties to give each other help; and the same
men should seek to combine, in their double capacity, all the advantages dependent
upon that capacity.

10 Again, the Sovereign, being formed wholly of the individuals who compose it,
neither has nor can have any interest contrary to theirs; and consequently the
sovereign power need give no guarantee to its subjects, because it is impossible for
the body to wish to hurt all its members. We shall also see later on that it cannot
hurt any in particular. The Sovereign, merely by virtue of what it is, is always what
15 it should be.

This, however, is not the case with the relation of the subjects to the Sovereign,
which, despite the common interest, would have no security that they would full
their undertakings, unless it found means to assure itself of their fidelity.

In fact, each individual, as a man, may have a particular will contrary or
20 dissimilar to the general will which he has as a citizen. His particular interest may
speak to him quite differently from the common interest: his absolute and
naturally independent existence may make him look upon what he owes to the
common cause as a gratuitous contribution, the loss of which will do less harm to
others than the payment of it is burdensome to himself; and, regarding the moral
25 person which constitutes the State as a *persona ficta*, because not a man, he may
wish to enjoy the rights of citizenship without being ready to fulfil the duties of
a subject. The continuance of such an injustice could not but prove the undoing
of the body politic.

In order then that the social compact may not be an empty formula, it tacitly
30 includes the undertaking, which alone can give force to the rest, that whoever
refuses to obey the general will shall be compelled to do so by the whole body. This
means nothing less than that he will be forced to be free; for this is the condition
which, by giving each citizen to his country, secures him against all personal
dependence. In this lies the key to the working of the political machine; this alone
35 legitimises civil undertakings, which, without it, would be absurd, tyrannical, and
liable to the most frightful abuses.

8. THE CIVIL STATE

40 The passage from the state of nature to the civil state produces a very remarkable
change in man, by substituting justice for instinct in his conduct, and giving his
actions the morality they had formerly lacked. Then only, when the voice of duty
takes the place of physical impulses and right of appetite, does man, who so far had

10 The Social Contract

1 considered only himself, find that he is forced to act on different principles, and
to consult his reason before listening to his inclinations. Although, in this state,
he deprives himself of some advantages which he got from nature, he gains in
return others so great, his faculties are so stimulated and developed, his ideas so
5 extended, his feelings so ennobled, and his whole soul so uplifted, that, did not the
abuses of this new condition often degrade him below that which he left, he would
be bound to bless continually the happy moment which took him from it for ever,
and, instead of a stupid and unimaginative animal, made him an intelligent being
and a man.

10 Let us draw up the whole account in terms easily commensurable. What man
loses by the social contract is his natural liberty and an unlimited right to
everything he tries to get and succeeds in getting; what he gains is civil liberty and
the proprietorship of all he possesses. If we are to avoid mistake in weighing one
against the other, we must clearly distinguish natural liberty, which is bounded
15 only by the strength of the individual, from civil liberty, which is limited by the
general will; and possession, which is merely the effect of force or the right of the
first occupier, from property, which can be founded only on a positive title.

We might, over and above all this, add, to what man acquires in the civil state,
moral liberty, which alone makes him truly master of himself; for the mere impulse
20 of appetite is slavery, while obedience to a law which we prescribe to ourselves is
liberty. But I have already said too much on this head, and the philosophical
meaning of the word liberty does not now concern us.