**The Social Contract**

Jean-Jacques Rousseau

**BOOK I: 1. The subject of the first book** Man is born free, and everywhere he is in chains. Here’s one who thinks he is the master of others, yet he is more enslaved than they are. How did this change come about? I don’t know. What can make it legitimate? That’s a question that I think I can answer.

If I took into account nothing but force and what can be done by force, I would say:

‘As long as a people is constrained to obey, it does well to obey; as soon as it can shake off the yoke, it does even better to shake it off. ·If its right to do so is challenged, it can answer that·: it gets its liberty back by the same ‘right’—·namely, force·—that took it away in the first place. Any justification for taking it away equally justifies taking it back; and if there was no justification for its being taken away ·no justification for taking it back is called for·.’

But the social order ·isn’t to be understood in terms of force; it· is a sacred right on which all other rights are based. But it doesn’t come from nature, so it must be based on agreements. Before coming to that, though, I have to establish the truth of what I have been saying.

**6. The social compact** Let us take it that men have reached the point at which the obstacles to their survival in the state of nature overpower each individual’s resources for maintaining himself in that state. So this primitive condition can’t go on; the human race will perish unless it changes its manner of existence.

Now, men can’t create new forces; they can only •bring together ones that already exist, and •steer them. So their only way to preserve themselves is to unite a number of forces so that they are jointly powerful enough to deal with the obstacles. They have to bring these forces into play in such a way that they act together in a single thrust.

For forces to add up in this way, many people have to work together. But each man’s force and liberty are what he chiefly needs for his own survival; so how can he put them into this collective effort without harming his own interests and neglecting the care he owes to himself? This difficulty, in the version of it that arises for my present subject, can be put like this:

Find a form of association that will bring the whole common force to bear on defending and protecting each associate’s person and goods, doing this in such a way that each of them, while uniting himself with all, still obeys only himself and remains as free as before.’

There’s the basic problem that is solved by the social contract.

The clauses of this contract are so settled by the nature of the act that the slightest change would make them null and void; so that although they may never have been explicitly stated, they are everywhere the same and everywhere tacitly accepted and recognised, until the social compact is violated and each individual regains his natural liberty, while losing the liberty-by-agreement which had been his reason for renouncing •them.

Properly understood, these clauses come down to one— the total alienation of each associate, together with all his rights, to the whole community. ·This may seem drastic, but three features of it make it reasonable·. (i) Because each individual gives himself entirely, what is happening here for any one individual is the same as what is happening for each of the others, and, because this is so, no-one has any interest in making things tougher for everyone but himself.

(ii) Because the alienation is made without reserve, ·i.e. without anything being held back·, the union is as complete as it can be, and no associate has anything more to demand. ·To see why the association has to be done in this way, consider· what the situation would be if the individuals retained certain rights. In the absence of any superior to decide issues about this, each individual would be his own judge in the first case that came up, and this would lead him to ask to be his own judge across the board; this would continue the state of nature, and the association would necessarily become inoperative or tyrannical.

(iii) Each man in giving himself to everyone gives himself to no-one; and •the right over himself that the others get is matched by •the right that he gets over each of them. So he gains as much as he loses, and also gains extra force for the preservation of what he has.

Filtering out the inessentials, we’ll find that the social compact comes down to this:

’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.’

This act of association instantly replaces •the individual person status of each contracting party by •a moral and collective body, composed of as many members as the assembly has voix [= ‘voices’ or ‘votes’]; and receiving from this act its unity, its common identity, its life and its will. This public person that is formed by the union of all the other persons used to be called a ‘city’,2 and these days is called a ‘republic’ or a ‘body politic’. Its members call it

•a ‘state’ when thinking of it as passive,

•a ‘sovereign’ when thinking of it as active, and

•a ‘power’ when setting it alongside others of the same kind.

Those who are associated in it are collectively called ‘a people’, and are separately called ‘citizens’ (as sharing in the sovereign power) and ‘subjects’ (as being under the state’s laws. But these terms are often muddled and confused with one another: it is enough to know how to distinguish them when they are being used with precision.

**7. The sovereign** This formula shows us that •the act of association involves a two-way commitment between the public and the individuals ·belonging to it·, and •that each individual, in making a contract with himself (so to speak), acquires two commitments: (a) as a member of the state he has a commitment to the sovereign, and (b) as a member of the sovereign he has a commitment to each of the individuals, he being one of them. There is a maxim of civil law that no-one is bound by undertakings he has made to himself, but that doesn’t apply here, because the present topic is incurring an obligation to •a whole of which one is a part, and that is very different from incurring an obligation to •oneself.

The proceeding I have been describing can’t give the sovereign a commitment to itself. As I have just pointed out, an individual subject can have a commitment to himself in this sense: as an individual he has a commitment to the sovereign, and as a member of the sovereign he has a commitment to himself. But the sovereign can’t have a commitment to itself; it doesn’t have two distinct roles ·such that a commitment could go from it in one role and towards it in the other·. For the sovereign to have a commitment to itself would be like an individual person having a commitment to himself; it just isn’t possible. And so it is against the nature of the body politic for the sovereign to impose on itself a law that it can’t infringe: there isn’t and can’t be any kind of basic law that is binding on the body of the people—even the social contract itself can’t do that. This doesn’t mean that the body politic can’t enter into commitments with others [i.e. with other states]. . . . It can do that, because in relation to what is external to it—·i.e. in relation to other states or sovereigns·—the sovereign is just a simple being, an individual.

But the body politic, i.e. the sovereign, owes its very existence to the sanctity of •the contract; so it can never commit itself, even to another state, to do anything that conflicts with •that original act—e.g. to alienate any part of itself, or to submit to another sovereign. ·I’m saying not that the sovereign ought not to do such a thing, but that it can’t do so·: violation of the act ·of contract-making· by which it exists would be self-annihilation; and nothing can be created by something that has gone out of existence!

As soon as this multitude is united into one body in this way, any offence against one of the members is an attack on the body, and any offence against the body will be resented by the members. Thus, the two contracting parties—the individual member and the body politic—are obliged by duty and by self-interest to give each other help. . . .

Now, because the sovereign is made out of nothing but its constituent individuals, it doesn’t and can’t have any interest contrary to theirs; so there’s no need for it to provide its subjects with guarantee ·of treating them well·, because •the body can’t possibly wish to hurt all its members, and—as we’ll see later on—•it can’t hurt any individual one of them either. The sovereign, merely by virtue of what it is, is always what it ought to be.

But the situation is different with respect to the relation of the subjects to the sovereign: despite their common interest, the sovereign would have no security that the subjects would behave as they have committed themselves to behaving unless it found some way to be assured of their fidelity.

The fact is that each individual •as a man can have a particular will that doesn’t fit, and even conflicts with, the general will that he has •as a citizen. His individual self-interest may speak to him quite differently from how the common interest does. He looks at the situation in this way:

’I have an absolute and naturally independent existence; ·I’m not something that exists only because certain items have come together in an association·. So what I am said to ‘owe’ to the common cause—·i.e. to the body politic or sovereign whose existence is in that way dependent on the conduct of its members·— is really a gift, a hand-out; if I withhold it, that won’t harm anyone else as much as it will benefit me. As for the ‘moral person’ that constitutes the state, that’s not a man but a mere mental construct.’

So he may wish to enjoy the rights of citizenship without being ready to fulfill the duties of a subject; and if that went on for long enough it would destroy the body politic.

To protect the social compact from being a mere empty formula, therefore, it silently includes the undertaking that anyone who refuses to obey the general will is to be compelled to do so by the whole body. This single item in the compact can give power to all the other items. It means nothing less than that each individual will be forced to be free. ·It’s obvious how forcing comes into this, but. . . to be free? Yes·, because this is the condition which, by giving each citizen to his country, secures him against all personal dependence, ·i.e. secures him against being taken by anyone or anything else·. This is the key to the working of the political machine; it alone legitimises civil commitments which would otherwise be absurd, tyrannical, and liable to frightful abuses.

**BOOK II: 1. Sovereignty is inalienable** The first and most important consequence of the principles I have laid down is that the directing of the state in the light of the object for which it was instituted, i.e. the common good, must be done by the general will. The •clashing of particular interests made it •necessary to establish a society, and the •agreement of those same interests made it •possible to do so. It’s the common element in these different interests that forms the social tie; and if there were there nothing that they all had in common, no society could exist. It is solely by this common interest that every society should be governed.

I hold then that sovereignty, being nothing less than the exercise of the general will, can never be alienated, and that the sovereign, which is nothing but a collective being, can’t be represented except by itself: the power indeed may be transmitted, but not the will.

Perhaps a particular will could agree on some point with the general will, but at least it’s impossible for such an agreement to be lasting and constant. Why? Because it’s of the very nature of a particular will to tend towards •favouritism, be •partial [i.e. to favour some people over others], whereas the general will tends towards •equality. It is even more impossible to have any guarantee of this agreement; for even if it did always exist that would be the effect not of skill but of chance. The sovereign may indeed say:

‘Right now I will what that man wills (or at least what he says he wills)’,

but it can’t say

’What that man wills tomorrow, I too shall will’,

because it’s absurd for the will to bind itself for the future, and no will is obliged to consent to anything that isn’t for the good of the being whose will it is. If then the populace promises simply to obey, by that very act it dissolves itself and loses what makes it a people; the moment a master exists, there is no longer a sovereign, and from that moment the body politic has ceased to exist.

This isn’t to deny that rulers’ commands can count as general wills, if the sovereign is free to oppose them and doesn’t do so. In such a case, universal silence should be taken to show the people’s consent. I’ll explain this fully later on.

**2. Sovereignty is indivisible** For the same reason that makes it inalienable, sovereignty is indivisible. Here is why. Either will (a) is general or it (b) isn’t; it is the will either of (a) the body of the people or of (b) only a part of it. When it is declared, then, either (a) it is an act of sovereignty and constitutes law, or (b) it is merely a particular will or an act of magistracy—at the most a decree. But our political theorists, unable to divide sovereignty on the basis of its •source, divide it according to its •object. They divide it into

•force and will,

•legislative power and executive power,

•rights of taxation, justice and war,

•internal affairs and foreign relations.

Sometimes they run these sections together and sometimes they separate them; they turn the sovereign into a fantastic being composed of several connected pieces: it is as if they were making man of several bodies, one with eyes, one with arms, another with feet, and each with nothing else! We’re told that the jugglers of Japan dismember a child before the eyes of the spectators; then they throw the pieces into the air one after another, and the child falls down alive and whole. The conjuring tricks of our political theorists are pretty much like that: having dismembered the body politic by a huckster’s trick they then re-asssemble it. . . somehow!

This error comes from a failure to think precisely about the sovereign authority, regarding as different •parts of it what are really just different •emanations from it. [Rousseau seems to mean that they are just different actions that are performed under the authority of the sovereign. In distinguishing (a) parts of the sovereign authority from (b) actions performed not by the sovereign authority but by subordinate governmental agencies, he may be distinguishing parts of x from actions of x, or distinguishing the sovereign’s actions from those of subordinate agencies. Thus, for example, the acts of declaring war and making peace have been regarded as acts of sovereignty, but they aren’t. None of them are laws; each of them simply applies a law to a particular case, involving a decision ·not about what the law is to be, but only· about how the law applies in this case. This will be clear when the idea attached to the word ‘law’ has been fixed.

If we track the other divisions in the same way, we would find that whenever anyone takes sovereignty to be divided there is a mistake: the rights that are taken as being part of sovereignty are really all subordinate, and always presuppose the existence of supreme wills that they are merely applying.

This lack of exactness has thrown a cloud of obscurity over the conclusions of writers on political right who have laid down principles on the basis of which to pass judgment on the respective rights of kings and peoples. When I try to say how much obscurity, words fail me! Everyone can see in Grotius’s work (Book 1 chapters 3 and 4) how the learned man and his translator, Barbeyrac, entangle and confuse themselves with in their own sophistries, for fear of saying too little or too much of what they think, and so offending the interests they have to placate. Grotius, a refugee in France, discontented with his own country [Holland], and wanting to pay court to Louis XIII, to whom his book is dedicated, will go to any lengths to strip the peoples of all their rights and clothe kings in them with every conceivable decoration. This would also have been much to the taste of Barbeyrac, who dedicated his translation to George I of England. But unfortunately ·for him· the expulsion of James II, which Barbeyrac called his ‘abdication’, compelled him to be on his guard, to shuffle and switch positions, in order to avoid making William ·of Orange, who succeeded James on the throne· a usurper. If these two writers had adopted the true principles, all ·their· difficulties would have been removed, and they would have been always consistent; but they’d have told the truth sadly, and they wouldn’t have been paying court to anyone except the people. Well, the truth is no road to fortune, and the populace doesn’t give out ambassadorships, university chairs, or pensions.

**4. The limits of the sovereign power** If the state or city is nothing but a moral person whose life consists in the union of its parts, and if its most important concern is for its own preservation, it must have a universal force to move and place each part in the way that is most advantageous to the whole. Just as nature gives each man absolute power over all his members, the social compact gives the body politic absolute power over all its members; and I repeat that it is this power which, under the direction of the general will, is called ‘sovereignty’.

But as well as the public person, we have to consider the private persons who compose it, and whose life and liberty are naturally independent of it. So now there’s the matter of clearly distinguishing

•the citizens’ rights from the sovereign’s, and

•the citizens’ duties as subjects from their natural rights as men.

Agreed: each man alienates by the social compact only the part of his powers, goods and liberty that it is important for the community to control. But something else should also be agreed: the sovereign is sole judge of what is important.

Any service a citizen can give to the state should be performed as soon as the sovereign demands it; but the sovereign on its side can’t impose upon its subjects any fetters that are useless to the community. Indeed it can’t even want to do so, because ·there’s no reason for it to want to, and· ‘Nothing can happen without a cause’ applies under the law of reason as much as it does under the law of nature.

The undertakings that bind us to the social body are obligatory only because they go both ways; and their nature is such that in fulfilling them we can’t work for others without working for ourselves. Why is the general will always in the right, and why do •all continually will the happiness of •each? It can only be because there’s not a man who doesn’t think of ‘each’ as meaning him, and considers himself in voting for all. This shows that equality of rights, and the idea of justice arising from it, originate in •the preference each man gives to himself, and accordingly •in human nature. It shows •that the general will, to be really general, must be general in its object as well as its essence; i.e. must come from all and apply to all; and •that when it is directed to some particular and determinate object it loses its natural rightness, because in such a case we—·the joint owners of the general will·—are judging of something foreign to us, so that we don’t have any genuine standards to guide us.

Indeed, as soon as a question of particular fact or right arises in some context that hasn’t already been regulated by a general agreement, the matter becomes contentious. It is a case—·like a trial in a court of law·—where the individuals concerned are on one side and the public are on the other; but I can’t see what law should be followed or what judge should decide. Couldn’t we ask the general will for an explicit decision on this matter? That is an absurd proposal: the deliverance of the general will can only be the conclusion of one of the sides and will therefore be seen by the other as merely an external and particular will that is subject to error and has on this occasion fallen into injustice. Thus, just as a particular will can’t represent the general will, the general will. . . .—just because it is general—can’t pronounce on a particular man or fact. When for instance the Athenian populace nominated or displaced its rulers, decreeing honours for one and penalties for another, and by hosts of particular decrees exercised all the functions of government indiscriminately, it no longer had a general will in the strict sense; it was acting no longer as sovereign, but as magistrate. This will seem contrary to current views; but you should give me time to expound my own.

So you can see that what makes the will general is less the number of voices than the common interest uniting them; for under this system each person necessarily submits to the conditions he imposes on others; and this admirable alignment of •interest with •justice gives to the common deliberations a quality of fairness, evenness of balance, which is visibly absent from the discussion of any particular issue, in the absence of a common interest that would bring unity. . . .

From whatever direction we approach our principle, we always reach the same conclusion: the social compact creates an equality among the citizens so that they all commit themselves to observe the same conditions and should all have the same rights. Thus, from the very nature of the compact, every act of sovereignty—i.e. every authentic act of the general will—obliges or favours all the citizens equally; so that the sovereign recognises only the body of the nation and doesn’t distinguish among the individuals of whom it is made up. Then what strictly speaking is an act of sovereignty? It’s not an agreement between a superior and an inferior, but an agreement between the body and each of its members—an agreement that is

•legitimate, because it is based on the social contract,

•equitable, because everyone takes part in it,

•useful, because the only object it can have is the general good, and

•stable, because guaranteed by the public force and the supreme power.

So long as the subjects have to submit only to agreements of this sort, they don’t obey anyone—only their own will; and to ask how far the respective rights of the sovereign and the citizens extend is to ask ·not two questions but only one, namely·: Up to what point can the citizens make commitments to themselves, each to all and all to each?

This shows •that the sovereign power—utterly absolute, sacred and inviolable as it is—doesn’t and can’t cross the boundaries set by general agreements, and •that every man can do what he likes with any goods and liberty that these agreements leave him; so that it is never right for the sovereign to burden one subject more heavily than another, because that involves a particular decision and ·therefore· isn’t within the range of the sovereign’s legitimate activity.

Once these distinctions are admitted, it is ·seen to be· false that the social contract involves any real renunciation on the part of the individuals; so false that the situation that the contract puts them into is really preferable to the one they were in before. Instead of an alienation, they have made an advantageous exchange, trading in

•an uncertain and precarious way of living for •one that is better and more secure;

•natural independence for •liberty,

•the power to harm others for •security for themselves, and

•their strength, which others might overcome, for •a right that social union makes invincible.

Even their life, which they have dedicated to the state, is constantly protected by it; and when they risk it in the state’s defence, aren’t they just giving back what they have received from it? What are they doing that they wouldn’t do oftener and more dangerously in the state of nature, in which they would inevitably have to risk their lives in battles in defence of their means of survival? Everyone does indeed have to fight when his country needs him; but then no-one ever has to fight for himself. We may have to run certain risks on behalf of the source of our security; the alternative is to lose our security and run greater risks on behalf of ourselves; haven’t we profited by this exchange?