

The Social Contract



INTRODUCTION

BRIEF BIOGRAPHY OF JEAN-JACQUES ROUSSEAU

Jean-Jacques Rousseau was born and raised in the Francophone city-state of Geneva, which is now part of Switzerland. His mother, who was born into Geneva's upper classes, died in childbirth, so Rousseau was primarily raised by his father, a watchmaker who passed his trade and sense of civic virtue on to his son. Specifically, Rousseau's father was proud of having Genevan citizenship, which most of the city's residents lacked, and of belonging to a community of politically active artisans who fought the small council of elites that controlled Genevan politics. When Rousseau was ten, his father was forced out of Geneva because of a political dispute, and he was sent to live with a Protestant minister, and later to work as an apprentice to a notary and then an engraver. He soon got fed up with these apprenticeships, so in March 1728, he decided to run away and convert to Catholicism. This led to him losing his beloved Genevan citizenship but gaining a benefactor in nearby France: the Madame de Warens, an ostentatious and sexually liberated noblewoman who dedicated her life to converting young Protestant men. She took Rousseau in, funding his education and facilitating his travels around France and Italy. They soon became lovers, and while Rousseau completely devoted himself to her, he was also conflicted about her parallel relationship with her butler. Rousseau eventually left for Lyon and then Paris to pursue his intellectual aspirations. When the French Academy of Sciences decided not to adopt his innovative system of musical notation, Rousseau ended up moving to Venice to work for the French ambassador there. He quit after two years and returned to Paris, where he fell in love with a reportedly illiterate chambermaid named Thérèse Levasseur and decided to financially support her entire family, even though he had no money. They had five children between 1746 and 1752, but Rousseau persuaded Levasseur to give them all to an orphanage because he distrusted her family. Still, Rousseau spent the rest of his life living with Levasseur, even though they never married and he remained in love with Madame de Warens. Mostly a composer by 1750, Rousseau had his first major break when he won a prominent essay contest for the work *Discourse on the Moral Effects of the Arts and Sciences*. Two years later, he wrote *The Village Soothsayer*, an opera that was performed for the king of France. The king loved Rousseau's work so much that he offered to pay him a pension for life—but shockingly, Rousseau turned down the king's offer. The same year, he got into a public fight with the French composer Jean-Philippe Rameau over whether French or Italian opera was superior. In 1754, Rousseau converted back to Protestantism

and moved back to Geneva, where he regained his citizenship, fell in love with another noblewoman, and had a falling out with his contemporary Diderot. Then, he left and went back to France. Over the next decade, Rousseau published what are now considered his major works: the *Discourse on Inequality* (1754), the novel *Julie* (1761), the novel and educational treatise *Emile* (1762), and *The Social Contract* (1762). However, these works were radical for Rousseau's time, and they were banned and publicly burned in both France and Geneva. Rousseau was forced into hiding. He moved to the nearby town of Môtiers and then to a small island in the middle of a lake, but he was kicked out of both. Fortunately, illustrious figures ranging from the Prussian king Frederick the Great to the Scottish philosopher David Hume offered to house Rousseau, and he soon accepted Hume's invitation and went to England. However, within a year he had a public falling out with Hume and returned to France, where he was still considered both a criminal and a celebrity. Fortunately, the crown did not pursue him, and he spent the next five years studying botany and writing his autobiography, the *Confessions*, which was published to acclaim in 1782, after his death. Rousseau's last decade, the 1770s, was rather scandal-free compared to his earlier life: he helped Poland craft its new constitution and wrote a book slandering his enemies. He suffered from a severe urinary disease, but his health only really began to decline after a nobleman's large dog ran him over in Paris in 1776. Rousseau started having periodic seizures and finally died of a stroke in July of 1778, approximately a decade before the beginning of the French Revolution, which his work helped inspire. Although he is best remembered for his political theory, Rousseau's work continues to influence fields ranging from opera to religion to child development.

HISTORICAL CONTEXT

Rousseau not only lived through one of the most transformative periods in European intellectual history—the Age of Enlightenment—but also helped shape an era of profound political change—the so-called Age of Revolution that began around the end of his lifetime. In the 18th century, Europe's territory was largely consolidated under the rule of monarchies and the noble classes to whom they delegated power. City-states like Geneva were the exception, and Rousseau's defense of popular sovereignty and direct citizen participation in lawmaking was considered revolutionary and dangerous. These monarchies also started building overseas empires in the Americas, and this expansion raised many questions that Rousseau takes up in this book: for instance, he argues that slavery can never be justified and notes that large states often have difficulty governing themselves. On the other

hand, these monarchies also patronized science, mathematics, and the humanities, which flourished and began taking their modern institutional forms. The Catholic Church flourished too and it was influential in these monarchies (including France, where Rousseau lived much of his life), as well as in many European colonies in the Americas. Again, Geneva was an exception, since it was formally Protestant, and Rousseau exploited this tension throughout his life, converting back and forth between Calvinism and Catholicism as he moved back and forth between Geneva and France. But Rousseau's insistence that citizens must rule themselves, rather than being ruled over by a king or nobility class, was as controversial in Geneva as in France: although Geneva had no king, its powerful aristocracy essentially wielded all the power that citizens were theoretically supposed to have. As he emphasizes throughout *The Social Contract*, however, the idea of a government run by and for the people extends back to ancient Athens and the Roman Republic, whose experiments with a kind of government that Rousseau called *republican* (and would also be called *democratic* today) Rousseau uses as evidence that it truly is possible for everyone to participate in politics. And Rousseau's writings also had ripple effects, which are the principal reason for his fame today. Specifically, the *Discourse on Inequality* and *The Social Contract* inspired the leaders of the French Revolution, who praised Rousseau in their speeches and openly claimed to be staging their takeover on behalf of the general will. In this sense, the shape of contemporary liberal democracy is heavily dependent on Rousseau's thought, even if it often fails to achieve the social equality he sought to establish.

RELATED LITERARY WORKS

The Social Contract builds directly from Rousseau's argument about the formation of human society in the *Discourse on the Origin and Basis of Inequality Among Men* (1754). In the *Discourse on Inequality*, Rousseau argues that society has the *potential* to create equality among people despite the natural inequalities in their power and intelligence, but instead it actually corrupts people and exacerbates inequality by concentrating wealth and property in the hands of a few. (In *The Social Contract*, he asks what a society *should* do in order to actually create true equality through popular rule.) Rousseau also transformed studies of child development and the philosophy of education with the book *Emile, or On Education* (1762), his personal favorite work, which mixes philosophical fiction and his theory of human nature to describe how education can help people realize their potential. His other most famous books are the best-selling romantic epistolary novel *Julie, or the New Heloise* (1761) and the autobiography *Confessions* (1782). While Rousseau is famous for his interpretation of the state of nature and the social contract, he is actually the latest of the most influential philosophers who wrote on these subjects. The first two were the English philosophers Thomas Hobbes, who laid

out his political theory in the *Leviathan* (1651), and John Locke, who did the same in his *Two Treatises of Government* (1689). Both these thinkers deeply influenced Rousseau, whose conclusions are much more radical and democratic than Hobbes's and Locke's. Social contract theory is still alive and well today, with recent works like American philosopher John Rawls' *A Theory of Justice* (1971) and Irish-Australian political theorist Philip Pettit's *Republicanism* (1997) building on the foundational insights of the Enlightenment. Finally, countless books have been written about Rousseau's life, thought, and influence. Some scholars have taken up specific questions in relation to Rousseau's thought: for instance, David Gauthier's *Rousseau: The Sentiment of Existence* (2006) focuses specifically on the concept of freedom in Rousseau's work. Prominent studies of Rousseau's life include Maurice Cranston's three-part biography (1982, 1991, 1997) and Leo Damrosch's *Jean-Jacques Rousseau: Restless Genius* (2005). Holistic guides to Rousseau's thought include N.J.H. Dent's *Rousseau: An Introduction to His Psychological, Social and Political Theory* (1989) and *Rousseau* (2005). A number of books have also focused specifically on this text, including David Lay Williams's *Rousseau's Social Contract: An Introduction* and Christopher Wright's *Rousseau's The Social Contract* (2008).

KEY FACTS

- **Full Title:** On the Social Contract; or, Principles of Political Rights
- **When Written:** 1756-1760
- **Where Written:** Paris and Montmorency, France
- **When Published:** 1762
- **Literary Period:** The Enlightenment
- **Genre:** Political Philosophy; Enlightenment
- **Point of View:** Third-person

EXTRA CREDIT

Hometown Pride? Rousseau famously signed many of his works, including *The Social Contract*, as "J.J. Rousseau, Citizen of Geneva," and in multiple places he praises the Genevan city-state as an ideal political community because it supposedly allows all citizens to participate in lawmaking. However, Rousseau was writing primarily about Geneva's original political order when it was founded in the 1500s, and so his civic pride was also a way of pointing out the corruption and inadequacy of Geneva's government at the time, which was elitist and aristocratic. Geneva's government was so offended by Rousseau's book that it banned and publicly burned it, then banned him from ever entering the city. (It so happens that the his father was also banned from Geneva, although for very different reasons.) Today, however, Rousseau is a celebrated figure in Geneva, which has named streets, hotels, schools, and

even an island after him.



PLOT SUMMARY

In *The Social Contract*, the influential 18th-century philosopher Jean-Jacques Rousseau addresses two interrelated questions that play a core role in social philosophy: how can people remain free while living under the authority of a state, and what makes such a state's power valid (or legitimate)? In Book I of *The Social Contract*, Rousseau answers both of these questions by concluding that citizens form their own nations "by uniting their separate powers" through a kind of covenant, or social contract, in which they agree to govern themselves as a collective and protect one another's rights. Therefore, while forming a nation requires citizens to give up certain freedoms that they still had in the state of nature, it replaces these freedoms with the far more valuable "civil freedom" of living in society, which allows citizens to more fully develop themselves morally and rationally. In Book II, Rousseau argues that a state is only legitimate when the people rule, or have sovereignty, over themselves. The people's job is to make laws and delegate the power to implement those laws to a set of institutions called a government, or executive power. In Book III, Rousseau explores the various forms government can take, explains how those different structures of government work best in different types of states, and concludes that the sovereign (the people) must keep a careful watch over the government in order to ensure that it does not try to seize power. And in Book IV, he explains how the people can figure out what is in their best interests, analyzes examples from the history of the Roman Republic to show why all citizens should directly participate in lawmaking, and argues that effective states must systematically teach civic virtues in order to preserve popular sovereignty and strengthen their institutions from generation to generation.

In Book I of *The Social Contract*, Rousseau briefly explains the purpose of his book and then declares: "man is born free, and he is everywhere in chains." He means to say that the powerful systematically oppress the powerless, which he concluded in his previous book, the *Discourse on Inequality*. However, whereas the *Discourse* was a historical analysis of how property rights and political systems *actually* formed, *The Social Contract* takes a theoretical look at how a state *should* form in order for its rule to be legitimate.

Rousseau begins by arguing that freedom and self-preservation are the "basis for all other [human] rights," so nobody can coherently act in a way that deprives them of their freedom or works against their own well-being. Because of this natural independence, nobody can legitimately pledge their "absolute obedience" to any other person or institution (which means that slavery is immoral and unjustifiable, and philosophers like Thomas Hobbes and Hugo Grotius were wrong to defend it). Rather, Rousseau concludes, "all legitimate authority" has to be

"based on covenants," or free agreements among equals. By extension, *society* is only legitimate if people *freely decide* to join it, which means that a state's true authority (or sovereignty) comes from an agreement—or *social contract*—made by its citizens. In Rousseau's words, people form society, or the **body politic**, by agreeing to "defend the person and goods of each member with the collective force of all." They receive society's protection in return for fulfilling their civic duties and following the laws they choose together, as a community. They create these laws by assembling together and following what Rousseau calls the general will—basically, they decide to do what is best for the community as a whole. Accordingly, members of a nation become two things at once: they are both citizens responsible for helping set the law and subjects responsible for obeying the law. But because everyone gets to participate in the political decision-making process, nobody has to give up their freedom by agreeing to the social contract: rather, citizens pursue their freedom as a *community*, rather than as *individuals*. In the process, they also "develop" and "elevate" their rational and moral capacities because society gives them the security and legal property rights that they need in order to pursue more complex goals and projects, which are not possible in the state of nature. The social contract, Rousseau concludes, replaces the "physical inequality [of] nature" with the "moral and lawful equality" of society.

In Book II of *The Social Contract*, Rousseau turns specifically to the nature of a national community's sovereignty over itself. The sovereign, he explains, is "a collective being" or "artificial person" made up of all a nation's citizens. This sovereign must act in the best interests of the national community as a whole, rather than choosing to help some citizens at the expense of other citizens. In other words, it always has to put the *public* interest above *private* interests, or else it becomes illegitimate. This means that political parties are usually evil, especially in a two-party system where the majority can simply outvote the minority and ignore its interests. Because the sovereign must be impartial, it also has to protect citizens' individual rights, and it cannot force anyone to do anything that "is not necessary to the community." On the other hand, it *can* take extreme measures—like sending citizens to fight in wars or executing murderers—when this is necessary for the nation's survival (and therefore the freedom of its people). But because laws must apply equally to all citizens, Rousseau explains, they have to be "abstract" and cannot name individual people.

Next, Rousseau switches gears and asks how laws are formulated in the first place. Citizens make the state through the social contract, but they have to learn to think of themselves as a community first, in order to even get to this stage. Rousseau explains how "special and superior" people called lawgivers—or founders—help such communities form. He notes that communities are likely to be stronger if formed during times of scarcity and suffering, when people stand to

gain much more from banding together, but communities can also be stronger or weaker depending on a number of other circumstances. For instance, smaller states tend to be more cohesive, but they can be easily conquered, while large states have more resources but may lack unity. In general, a community sticks together if they share some common “origin, interest or convention,” and while all laws should aim to create “*freedom and equality*,” different nations can do this best in different ways: for instance, a nation with a lot of fertile land could focus on agriculture, while one with a long coastline could “develop trade and navigation.”

In Book III, Rousseau explains how a nation can effectively enforce its laws by creating a government (or executive branch). The sovereign (or legislature) can create general laws, but it cannot implement those laws through “particular acts” without creating conflicts of interest, since the citizens who write laws cannot objectively enforce the law against *themselves*. Therefore, the sovereign creates a government to put its laws into action, but also to mediate between the people as citizens and as subjects. However, the government works *for* the sovereign, which has complete authority to “limit, modify and resume” its power at any time.

Rousseau next argues that the size of government is an important factor in maintaining order in a society. In a larger state, government must act more efficiently over a wider population and territory, so it should be more hierarchical, with fewer administrators (or magistrates) at the top, each of whom wields more power. Rousseau distinguishes three kinds of government, which exist on a spectrum: monarchy, aristocracy, and democracy. However, Rousseau uses these terms in a way very different from their modern-day meanings: he is *only* talking about how the *executive* power should be structured. He firmly believes that any legitimate state must be what is now called a democracy: it has to be governed by and for the people. But when Rousseau uses the term *democracy*, he is referring to a political system in which all of the people help implement the laws, in addition to writing them. He thinks this is obviously undesirable, because the whole point of government is to make sure that the same people do not both write and implement the laws. A monarchy is similarly undesirable because it gives a single person complete authority over the entire executive branch, leading to frivolous and ineffective policies, albeit efficient decisions. Kings also often try to usurp the people’s lawmaking power and establish tyranny. In contrast, Rousseau praises aristocracy, in which a few bureaucrats share the highest authority over executing the laws. However, he emphasizes that such an aristocracy should be elected, not hereditary.

Different kinds of government are better suited for different contexts, Rousseau admits, but a government’s overall quality can be roughly measured by how “protected and prosperous” the people are. Ultimately, however, all states collapse, almost

always because the government seizes the people’s legitimate power to make the laws. To prevent this and keep a state healthy for as long as possible, Rousseau argues, the people must regularly assemble in a public forum to directly deliberate on the laws and check the power of government. When he says the people, he means *all* the people—Rousseau uses the example of the Roman Republic to show how a nation really can create its laws by inviting all citizens to directly deliberate on them.

In Book IV, Rousseau takes up a handful of remaining issues that surround his understanding of government. First, he again emphasizes that the general will must involve the common interests of all citizens, but he admits that people often give up on voting for the common good and start trying to advance their own interests instead, which is another sign of a republic in decline. He explains how elections should work and cites Rome’s comitia, or citizens’ assemblies, as an imperfect example of how citizens can have sovereignty over their own nation. He notes that a court system, or tribunate, can be necessary to stop other agents of the state from overstepping their power. In extreme cases of power imbalance or national emergency, Rousseau even advocates dictatorship—not in the word’s contemporary sense (which is closer to what Rousseau calls “tyranny”), but rather in its ancient Roman sense, when it referred to a magistrate who was given absolute authority over the state in times of crisis. Finally, he argues that the best way to maintain a healthy government is to ensure that citizens have the right moral values, and he proposes creating a kind of “civil religion” to teach and transmit these values. Whereas Christianity teaches people to seek purity in the hopes of achieving salvation in the afterlife, Rousseau argues, the institutionalized “civil religion” should teach people “positive dogmas” that encourage them to be active and tolerant citizens who respect “the sanctity of the social contract and the law.”



CHARACTERS

Jean-Jacques Rousseau – The author of *The Social Contract* was an influential 18th-century Enlightenment philosopher and proud citizen of the city-state of Geneva. In this book, which builds on his earlier *Discourse on Inequality*, Rousseau attempts to understand what makes a state legitimate—that is, what makes its power and use of force justified and beneficial. He takes up this question because he wants to understand if people can remain free despite having become dependent on society for their survival. Rousseau concludes that an effective and legitimate republic must protect its citizens’ freedom by enacting their general will (or doing what is in their common interests).

Hugo Grotius – Grotius was an early 17th-century Dutch political philosopher who is best remembered for his theory of international law. Rousseau contrasts his own picture of the

legitimate state to that of Grotius, who thought that the powerful were justified in governing for their own benefit. Rousseau also repeatedly attacks Grotius for defending slavery and trying to win favor with despotic rulers through a philosophy that justifies their tyranny.

Thomas Hobbes – Hobbes was a prominent 17th-century British philosopher who is best remembered for helping formulate the theory of the social contract in his book *Leviathan*. Hobbes famously argued that the state of nature is a “war of all against all,” in which nobody is safe because no law restricts people from violence. As a result, he argued that the sovereign must have absolute power—even if that means oppressing citizens—to maintain peace and order. While Hobbes’s arguments about the state of nature and the necessity of undivided sovereign power greatly influenced Rousseau, whose arguments changed somewhat from the *Discourse on Inequality* to *The Social Contract* as a result, Rousseau is also generally critical of Hobbes’s willingness to accept a state in which citizens have little or no freedom over how they are governed. In a sense, *The Social Contract* can be read as a direct response to Hobbes’s *Leviathan* (and to English philosopher John Locke’s *Second Treatise on Government*, which also explained the formation of society through the transition from a state of nature to a social contract).

Servius – Servius was one of Rome’s last kings before the formation of the Roman Republic, and he ruled from 575 to 535 BCE. He famously did away with the existing class system in Rome, which was based on tribal affiliations, and instead divided the Roman people into different classes based on wealth. He also redesigned the comitia system in parallel with these new class distinctions, giving the most power (and military responsibility) to the wealthy and the least to the poor. In Book IV, Rousseau argues that Servius’s system was effective, if imperfect, and that it laid the foundation for popular sovereignty to emerge in Rome.

TERMS

Aristocracy – Along with democracy and monarchy, aristocracy is one of the three kinds of government that **Rousseau** outlines in Book III. (Rousseau uses the word “government” to refer only to the executive branch of the state—he always thinks the people as a whole should legislate, in their capacity as the sovereign.) Whereas democracy involves all the citizens taking an equal part in government and monarchy vests all power in a single administrator or magistrate, an aristocratic government gives a few magistrates power over implementing the law. Rousseau further notes that there are three kinds of aristocracy. The first is “natural” aristocracy, which only arises in “primitive” communities where elders have power. The second is “hereditary” aristocracy, in which people inherit administrative positions. Because hereditary aristocracy leads

to incompetent leaders, Rousseau considers it “the worst of all governments.” Finally, there is “elective” aristocracy, in which the people choose government executives (either randomly, in a small society or for positions that everyone is capable of doing, or because of their virtues, in all other cases). Because this both centralizes power enough to be effective and ensures that people charged with government authority are up to the job, Rousseau considers elective aristocracy the best way to organize a government.

Citizen – While the term “citizen” generally refers to any individual who legally belongs to a nation or **body politic**, **Rousseau** uses it more narrowly. For Rousseau, people are “citizens” in their *active* capacity as part of the state’s sovereign (or lawmaking) body. In other words, people are citizens in the sense that, having freely agreed to the social contract, they are now part of the nation and partially responsible for making its laws and directing its political future. Therefore, the word “citizen” stresses people’s responsibility *to* and *for* their nations. It contrasts with the word subject, which refers to people in their *passive* relation to the state, as they are forced to *obey* the same laws they help form as citizens. The concept of citizenship is also important to Rousseau because it defines his perspective on himself as an individual and thinker: like most of his books, he signed this one “*J.-J. Rousseau, Citizen of Geneva*,” and he frames *The Social Contract* as his attempt to make sense of his rights, responsibilities, and duties *as a citizen*. Notably, however, only a minority of Genevans were citizens in Rousseau’s time—in other words, citizenship was reserved for a privileged few, and most people were merely subjects, although Rousseau clearly disagreed with this system.

Comitia – During the Roman Republic, *comitia* were assemblies or committees that allowed citizens to craft and vote on legislation. **Rousseau** uses the *comitia* as an example of effective statecraft and argues that, because the *comitia* gave all citizens a way to participate in politics, “the Roman people was truly sovereign.”

Covenant – A covenant is a legal agreement, association, or contract (including the social contract).

Democracy – **Rousseau** uses the word “democracy” in a way very different from its contemporary meaning. He considers democracy one of the three ways of organizing the government (which in Rousseau’s terms means the executive branch). Whereas a single administrator (or magistrate) rules in a monarchy and a small group of them rule in an aristocracy, in a democracy, *all* people play an equally important part in implementing the law. Rousseau notes that a “true democracy,” in this sense, is impossible—this would require everyone to “permanently” work for the government implementing laws, and society simply cannot function if every single person is a bureaucrat. But Rousseau emphasizes that the different forms of government are a spectrum, and so a nation would be a “democracy” in his sense when a majority of people work for

the government implementing the law. He emphasizes that a society would need to be very small, humble, and equal for this system to have any chance of working, because people would have to wield power over their friends and neighbors without growing corrupt. Moreover, Rousseau thinks that democracies could scarcely get anything done because they distribute power so broadly, and they would be catastrophic in theory because they do not create the separation between legislative and executive powers that is necessary for laws to be formulated and applied equally. Again, it must be emphasized that Rousseau uses the word “democracy” to refer *exclusively* to the way a state organizes its *executive* branch. In its modern usage, the word “democracy” essentially refers to any state that is ruled by the people (rather than a king or small group of elites). In this sense of the term, all three of Rousseau’s forms of government are what we would now call “democracies” because lawmaking power ultimately rests with the people (who make up the sovereign).

Dictator – As with many historical and philosophical terms throughout *The Social Contract*, **Rousseau** uses the word “dictator” in a way very different from its present-day meaning and connotations. He specifically uses the word in the context of the dictators of the Roman Republic, who were given almost absolute power over a specific function (usually the military), in order to guide the Republic through emergencies (usually wars). However, dictators were only given these powers for a short, set period of time, and they could not make laws pertaining to anything outside the domain with which the Senate entrusted them. This is similar to the way modern-day presidents and prime ministers often get expanded powers during emergencies, when time is of the essence and strong centralization is necessary to protect the nation’s interests. Rousseau argues that this kind of dictatorship can be necessary, and so he concludes that states should make provisions for appointing dictators in times of need, while also imposing severe limitations (like Rome did) to make sure that these dictators do not take too much power and turn into tyrants.

General Will – General will is a complicated but very important concept that essentially refers to a society’s capacity to pursue the goals that are in its citizens’ common interests. **Rousseau** argues that a state is only legitimate if it follows the general will—or, more specifically, if its sovereign (legislative) power is guided by the general will when it formulates the nation’s laws—that is, if it creates the policies that are in the public good. Rousseau emphasizes that this public good is about what people share *in common*, and not simply “the sum of [everyone’s] individual desires,” because one individual may desire something that is harmful to another individual (and therefore not beneficial for the citizenry as a whole). Because the sovereign simply consists of the people, Rousseau continues, legislation really consists of a people collectively

choosing to do what is in their collective best interests, which means that they preserve their freedom through society (rather than sacrificing it to the state, as thinkers like **Hobbes** and **Grotius** suggest). Indeed, the general will comes from the original social contract, in which people decide to think of themselves as a coherent whole (a nation or *body politic*) and then give up their “natural freedom” in exchange for “civil freedom,” or the right to participate in collective decision-making. This participation requires people to choose the general will, which is “always rightful” because it “always tends to the public good,” over their own personal interests and desires. If they fail and stop following the general will, their nation stops functioning and is no longer legitimate. In turn, Rousseau argues, the state has a right to force people to comply with the general will and fulfill their duties as citizens, even when they disagree with the general will. For example, the state can force people to pay taxes or even send them to war if it is necessary for the nation’s preservation. This does not violate their freedom, because their freedom is based precisely on the general will. In this case, Rousseau argues, such people are paradoxically “forced to be free” by the state.

Government – **Rousseau** defines government as the “legitimate exercise of the executive power,” which is the part of the state that implements the laws created by the sovereign. However, while this definition appears to equate government with the *process* or *action* of governing (whereas the *body* or *institution* that governs is called the “prince”), in practice Rousseau frequently writes about “the government” and uses this term interchangeably with “prince.” In short, the government is the executive branch, whose only purpose is to implement the legislature’s laws—or, in Rousseau’s terminology, the general will of the sovereign people who make laws. Notably, according to Rousseau, the government works *for* the people, who are free to fire, reformulate, or restrict it whenever and however they collectively decide. However, Rousseau also argues that it is crucial for the government and sovereign to be separate, because the sovereign can only create general laws, while the government needs to apply them to specific situations. (If the legislature passes laws that pick out specific individuals, Rousseau insists, it ceases to fulfill the general will of all citizens, and instead is turning some citizens against others.) In Book III of *The Social Contract*, Rousseau focuses on the way different governments are formed, structured, and run. He concludes, first, that an elected aristocratic government led by a few magistrates is better than a fully democratic or monarchic one. Secondly, he notes that the size of government must be regulated in order to balance power between the people in their active status as legislating citizens and the same people in their passive status as subjects of the law. It is important to emphasize that Rousseau does *not* defend aristocracy in the modern sense of the term; in fact, he believes that the people should always make all the laws for their own benefit. (He just thinks that a small elite should take charge of *implementing*

those general laws). Similarly, while the word “government” is often used to refer to all of a nation’s institutions, in *The Social Contract* (and in this guide) it *only* refers to the executive branch and should not be confused with the sovereign (or legislature).

Lawgiver – While **Rousseau** argues that a social contract is the basis of society and ensures that all citizens are equal, he also notes that such a contract does not appear out of thin air. Rather, some force—often some *person*—needs to organize people and lead them to see themselves as a unified whole, a society or nation with some inherent connection to one another. Rousseau calls this organizing person a lawgiver (or founder), and he contends that they must have almost superhuman abilities (and usually employ religion) in order to create effective and cohesive nations. But if such lawgivers *can* successfully give people a sense of “moral and communal existence,” they can lead these people to think of themselves as a collective and agree on a social contract that converts them into a true nation. However, this does not mean that lawgivers have any special authority once a nation is born—even though they help spur the formation of the social contract, they still agree to it as equals, like every other citizen, and should have no special rights or privileges in the state.

Legitimacy – Political legitimacy refers to whether a state is justified in setting laws and using physical force to administer those laws. Political theorists have interpreted this concept in a wide variety of ways throughout history, and **Rousseau’s** primary goal in *The Social Contract* is to figure out what makes a given state legitimate or not. Because people are born free and inevitably seek their own preservation and advancement, Rousseau argues, a legitimate state cannot take away people’s freedom. Therefore, he continues, people must freely choose to give up some freedoms to the state, like the “natural freedom” to commit violence against others, in exchange for receiving “civil freedom,” like the freedom from becoming a victim of violence. This is why Rousseau concludes that a legitimate society must be based on citizens freely choosing to participate in a covenant (or social contract) and must subsequently preserve those citizens’ freedom by doing what is in their best interests—that is, by following the general will. In order to honor this freedom, a state must accept certain limits on its power in order to preserve citizens’ civil rights and ensure that they all receive equal treatment.

Magistrate – Magistrate is **Rousseau’s** word for a government administrator or civil servant, which he uses interchangeably with the terms “king” and “governor.”

Monarchy – According to **Rousseau**, monarchy is one of the three structures of government (meaning executive power), along with aristocracy and democracy. In a monarchy, one person (or magistrate) holds absolute power to implement laws (or not) as they see fit. This does not mean that there is only one person *in* the government, but rather that one person *controls* the whole government. (It is also possible, although

rare, for more than one monarch to share power.) Rousseau does not mean that the monarch gets to write their own laws: since he uses the terms democracy, aristocracy, and monarchy to describe executive power *only*, he is still imagining a state in which the people legislate as the sovereign. However, Rousseau does note that monarchs often try to usurp the power of the legislature and establish tyranny. This is the principal danger of a monarchic government, but monarchies are also inefficient for other reasons: monarchies overemphasize loyalty at the expense of talent, for example, and monarchies often become hereditary, which forces the people to deal with “monsters or imbeciles for rulers.” Nevertheless, because of the way they concentrate power, monarchies sometimes are effective, particularly in empires that have to rule over huge populations and enormous swaths of territory.

Nation – A nation is the political and social community that a people creates through the social contract. For **Rousseau**, a nation is the same thing as a republic or **body politic**.

Patricians – Patricians were the wealthy, powerful upper classes in ancient Rome.

The People – As opposed to *people* in general, *a* people or *the* people (as in “we the people...”) refers to a group of individuals who view themselves as a community with common interests and who band together to form a nation (or republic, or **body politic**). When they do so, the people become both citizens of their nation (in the sense that they are responsible for leading it and building its laws) and subjects of their nation (in the sense that they must obey the state and laws they have formed).

Power – As apart from the normal definition of power (as in abilities, capacities, or forces that people have), **Rousseau** frequently writes about *powers*, in the sense of different agencies or institutions. For instance, he calls the government “the executive power” and the sovereign “the legislative power.” In Book I, he also explains that, from the perspective of international relations, any given nation can be considered a sovereign *power* in relation to other nations. (The word is often used this way in the context of wars—for instance, World War I was fought between the “Allied Powers” and “Central Powers.”)

Prince – Prince is a term that **Rousseau** uses—quite unconventionally—to refer to magistrates (or government administrators) as a collective. In short, the “prince” is the executive branch or the government as a whole, as contrasted with the legislature or sovereign.

Republic – For **Rousseau**, a republic is the same thing as a nation or **body politic**, although the word implies popular sovereignty (meaning that the state is formed and run by the people).

Roman Republic – The Roman Republic was the second historical stage of ancient Rome, dating from the end of the Roman Kingdom in 509 BC to the creation of the Roman Empire in 27 BC. During this time, Rome was governed by a

Senate of elites and comitia (committees) in which all other citizens could participate. **Rousseau** sees the Roman Republic as an important example of a state that successfully involved citizens in lawmaking, rather than choosing deputies to represent the people's general will in the legislature (which Rousseau considers a disastrous strategy). In other words, Rousseau praises the Roman Republic because it was what contemporary English speakers would call a *direct* democracy, as opposed to a *representative* democracy (although it should be noted that Rousseau uses the word democracy in a very different way in *The Social Contract*).

Social Contract – The social contract is **Rousseau's** central concept in this book, and it essentially refers to a hypothetical agreement that the members of society make with one another. In this agreement, they decide to form a community (or **body politic**) that will protect “the person and goods of each member with the collective force of all.” Therefore, everyone in society essentially trades their “natural freedom”—the ability to do anything they are capable of, without regard to others' rights or well-being—for “civil freedom,” which means having individual rights to be free from violence and take part in the decisions of the community as a whole. According to Rousseau, people are inherently free and naturally prioritize their self-preservation, which means that they cannot coherently give away their freedom, and so “all legitimate authority among men must be based on covenants” like the social contract. Therefore, a state is legitimate *because* it is based on a social contract to which citizens actively consent. Readers must remember that Rousseau's project in this book is theoretical, not historical, and so he does not mean to suggest that people ever got together and signed an actual contract. Rather, he means that citizens' obligations to one another and their nation are contractual in nature, in the sense that people and society have made “a reciprocal commitment” to each other, and both sides have an obligation to honor this commitment.

Sovereign – This term broadly refers to the leader of a state, whether an individual or a collective body (like a legislature or popular assembly). Because the sovereign is the highest authority in a republic, it is responsible for creating laws for the nation, and everyone else who works for the state ultimately works in service of the sovereign. **Rousseau** specifically argues that, in any legitimate state, the people (as a collective) are the sovereign, because they freely decide to form a society by agreeing to the social contract. A contract that forces people to give away their freedom is illegitimate, Rousseau argues, which means that any legitimate social contract must preserve people's freedom, power, or sovereignty over themselves. In fact, he explains, the formation of society simply changes the *form* of sovereignty: individuals (who are sovereign over themselves in the state of nature) band together and agree to take collective sovereignty for their collective good. Because this agreement is the origin of all legitimate society, Rousseau

concludes, sovereignty must always reside in the hands of the people, and so the people must directly make all the laws. In other words, the legislature should be an assembly of all citizens, and the executive branch (or government) should work *for* this sovereign assembly. Rousseau's concept of popular sovereignty was radical in his own time, but it is now a standard principle of many liberal democracies, in which it is commonly accepted that the government works for “the people.” Nevertheless, Rousseau's particular vision of the sovereign as a citizens' assembly, rather than a legislature of representatives, has been fulfilled almost nowhere in the contemporary world.

Sovereignty – Sovereignty refers to a state's power to govern itself, and this power resides in the part or aspect of the state called the sovereign. According to **Rousseau's** theory of the social contract, legitimate sovereignty specifically means “the exercise of the general will” by a legislative assembly made of a state's citizens, or in other words, the active passage and implementation of laws that advance the common interests of a nation's people.

State – This is the most general term for a political community, and it can refer to any political organization with authority over a certain population and territory. For **Rousseau**, the term is similar to nation, republic, or **body politic**, but it refers to the “passive” dimension of this union, as an institution. This contrasts with its “active” dimension as the sovereign that creates laws and makes the government put them into practice. Notably, for Rousseau, the state is *not* the same thing as the government—rather, he uses “government” to refer specifically to a state's administration or executive power.

State of Nature – The “state of nature” is the (hypothetical) set of conditions in which human beings lived before organizing into societies. Because it allows us to understand why people would choose to live in society, the concept of a state of nature is essential to virtually all theories of the social contract, including **Rousseau's** (as well as **Thomas Hobbes's** and John Locke's). However, Rousseau mostly elaborated his theory of the state of nature in an earlier work, the *Discourse on Inequality*, in which he argues that solitary humans living in the state of nature would be absolutely free and primarily concerned with their self-preservation, but they would lack tools (like reason, language, and complex emotions) that are necessary for them to truly realize their freedom, which is only possible through society. This is how he explains why people would freely choose to form society and agree to put the common good (or general will) over their own individual desires. While some philosophers continue to ask about the state of nature, others now emphasize the impossibility of fully imagining it and stress that humans have always been social beings, freely participating in some form of community based on a social contract-like pact of mutual protection.

Subject – A subject is someone who has to obey the state's laws (or who is *subjected* to those laws). For **Rousseau's** purposes,

this means anyone who is a member of a nation and it is similar to the word “citizen”—in a legitimate republic, all citizens are also subjects, but the difference between these two words is one of perspective. Whereas someone is a *citizen* insofar as they take an *active* role in making up the nation and deciding its laws, the same person is a *subject* in the *passive* sense that they must follow the laws and answer to the state. For instance, *citizens* create laws, and these laws apply to *subjects*—even though the citizens who make the laws and the subjects who must follow them are *the same people*.

Tyranny – Tyranny is an undesirable kind of state, in which a single ruler (or tyrant) exercises both absolute sovereignty and absolute executive power. With no legal checks to limit their power, tyrants put their personal interests above the general will of the people, whom they often oppress as they see fit.

Rousseau explains that tyranny usually forms when a government is monarchic in structure (meaning that the ultimate power to implement the laws is concentrated in one person’s hands), and then the monarch usurps the power of the legislature and begins making their own laws.



THEMES

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HUMAN FREEDOM AND SOCIETY

In *The Social Contract*, Jean-Jacques Rousseau asks where human society comes from and whether it can be founded on “any legitimate and sure principle.” Like his famous predecessors Thomas Hobbes and John Locke, Rousseau concludes that people form society by making an agreement—or social contract—in which they sacrifice some of their own freedom in exchange for certain rights. Hobbes believed that people *renounce* their freedom to society, whereas Locke saw society as a means of *preserving* God-given natural rights. Rousseau, however, argues that a well-founded and well-run society is actually the *source* of true human freedom. For Rousseau, the social contract helps people convert their “natural freedom” into a higher “civil freedom” that truly enables them to realize their potential.

Rousseau first aims to show that it is theoretically possible for humans to live under a state without sacrificing their freedom. He believes that freedom and self-preservation are essential to humans’ “very nature,” so nobody can coherently “renounce [their] freedom,” which would also mean “renounc[ing their] humanity.” By extension, nobody can legitimately consent to the authority of any state that takes away their freedom—they can

only be *forced* to live under such a state. If a state is to be legitimate, it must be based on people’s free consent to be governed. But other prominent philosophers’ theories of society make no room for this: for instance, Hobbes thinks that the strong create society to benefit themselves by oppressing the weak, and Aristotle argued that some people are naturally “born for slavery.” Rousseau, however, believes that no truly legitimate society can be based on oppression: a well-functioning society must be a source of freedom, rather than placing limitations on it.

Having explained what a free society requires, Rousseau next shows how people can actually form one: by making a social contract, they organize themselves into a political community to both realize their freedom as a collective through politics and guarantee themselves the rights they need to realize their freedom as individuals. For Rousseau, in the state of nature before society forms, people have the “natural freedom” to do anything of which they are physically capable. But under this way of life, people inevitably struggle to survive: stronger people can take weaker people’s possessions, territory, or even lives. Eventually, people decide to “unit[e] their separate powers” to fight this state of nature by making a social contract: they agree to “defend the person and goods of each member with the collective force of all.” But because freedom and self-preservation are the fundamental principles of human decision-making, nobody would agree to the social contract unless everyone “remains as free as before” under it. Specifically, through the social contract, people trade their “natural freedom” for “civil freedom,” or a set of common rights that guarantee freedom from unjust harm. Individuals agree to this trade because everyone else does, too, and so it is in everyone’s self-interest to respect everyone else’s rights and treat all people equally. Accordingly, whereas under “natural freedom” a select few people (the strong and intelligent) are free to trample on everyone else, “civil freedom” extends “moral and lawful equality” to everyone. Not only does the social contract make more people secure and increase the community’s freedom as a whole, but it also institutes a better form of freedom: “civil freedom” is better than “natural freedom” because it is based on rational cooperation, which is the source of morality. With “natural freedom,” people have no guarantee of their own safety, so they must dedicate their energy to their own security. But with “civil freedom,” people can focus on more complex and ambitious expressions of their humanity, such as building houses, forming relationships, or writing books.

Rousseau goes even further by suggesting that a well-founded state cannot possibly trample on its citizens’ freedom, although it can “force [them] to be free.” Most people would say that even an ideal state can take away people’s rights—for instance, by putting them in jail if they commit a crime. But Rousseau actually thinks such punishment *further*s people’s freedom. When people agree to receive civil freedom through the social

contract, they agree to follow the law—in other words, they agree to accept punishment if they violate others' freedom. Therefore, a criminal does not lose their freedom by going to jail: rather, they are fulfilling the agreement that gave them freedom in the first place, and therefore they are *affirming* their own freedom as a member of society. Similarly, a legitimate state can send its citizens to war without violating their freedom: the state protects their freedom, so it is asking people “to risk [their] own [lives] in order to preserve [them].” Similarly, in an ideal state, when a majority outvotes a minority, the majority's decision would just reflect the general will, or the common interest of all citizens, and the minority would simply be wrong about what is best for them. However, this does not mean that majorities and states never trample on people's freedom in the real world: Rousseau emphasizes that he is talking about an *ideal* state.

Indeed, while Rousseau sees society as the best path to true freedom, he was under no illusion that a free society existed or would be easy to create. He saw people being enslaved by society all around him, which explains his famous first line: “Man was born free, and he is everywhere in chains.” *The Social Contract* is Rousseau's attempt to correct existing societies by showing them how they *should* organize themselves, rather than simply describing how actual societies work, as he did in the *Discourse on Inequality*. The *Discourse* gave a historical account of society's formation, but *The Social Contract* complemented it by showing what needed to be done for humans to live freely and fully express their capacities through a well-organized society. The world listened: this book, perhaps more than any other, inspired the French Revolution that established Europe's first major republic since Rome.



SOVEREIGNTY, CITIZENSHIP, AND DIRECT DEMOCRACY

In a republic, who should govern and what powers should they have? By definition, a nation's highest authority is its sovereign, or the body with legitimate authority to make laws. Rousseau insists that, because a people collectively agrees to establish a political community, or **body politic**, this same collectivity of people must make up the sovereign. In other words, the people must make their own laws—that is, have sovereignty over *themselves*. Although Rousseau uses the word “democracy” in a way very different from its present-day meaning, his influential concept of popular sovereignty is foundational to the kind of society that is now called liberal democracy. Beyond arguing that a republic must be built by and for its citizens, Rousseau also insists that these citizens must *directly* participate in legislation, which makes his political theory as radical by today's standards as it was during his own era.

When citizens join together and form a nation through the pact

that Rousseau calls the social contract, they do not sign away their freedom: rather, they preserve their liberty by agreeing to make major decisions collectively, as a community. These collective decisions are *laws*, and the body or “collective being” that makes these laws is the *sovereign*, which must be made up of all the citizens (just like a team is made up of players). Rousseau's argument is straightforward: when any individual agrees to join society, they take on a twofold relationship to the community—they agree to take an active role in preserving everyone else's rights, in exchange for knowing that everyone else will do the same for them. This means they both participate in lawmaking (as citizens) and are protected by the laws (as subjects). Because all citizens have a right and responsibility to participate in lawmaking, then, all citizens are part of the sovereign. Moreover, all citizens are equal in the sovereign: they have all freely agreed to the social contract, and nobody would ever freely agree to be oppressed, which means that the social contract is predicated on the equality of all citizens. In turn, this means that *everyone* must *equally* share the power and burden of sovereignty, and everyone's interests are equally important in the nation. The sovereign takes everyone's interests into account by pursuing the “general will,” that is, doing whatever is in society's best interests. Rousseau carefully notes that that does not simply mean doing what is best for the majority, or giving everyone a little bit of what they want—rather, it means pursuing what is in people's common interests as a collective.

Having shown that the sovereign must be the citizenry as a whole, Rousseau concludes that the citizens must hold the ultimate power in any legitimate republic. First, at the beginning of Book II, Rousseau clarifies that the sovereign power is neither alienable nor divisible: nobody can take away the people's lawmaking power, and all laws must be made with the entire population in mind. Because the sovereign is composed of “the people as a whole [...] without any division whatsoever” and expresses their general will, the sovereign is the only true voice of the nation. The government (or executive branch) has no authority independent of the sovereign (or legislative branch), which is its boss. Therefore, the sovereign people can agree to fire their government at any time. However, although nothing has power over the sovereign, this doesn't mean its power is unlimited. The sovereign does not have the power to apply laws in specific ways (which is the government's job), and the sovereign cannot violate its members' individual rights (which are guaranteed through the social contract). While the people constitute a legitimate state's ultimate sovereign authority, Rousseau emphasizes, they are not the *whole* state by any means.

Finally, Rousseau argues that true sovereignty requires what is now called direct democracy. Because the people are the sovereign, Rousseau contends, they must make the laws. If they delegate this job to elected representatives, Rousseau warns,

those representatives will become corrupt and turn citizens into “slaves.” Of course, this system of representation is standard in contemporary republics (including virtually every country in Europe and the Americas), and in the 21st century, most people would find it very difficult to imagine letting every single citizen have a say in setting the law. But Rousseau anticipates this objection and emphasizes how the Roman Republic and Ancient Greece used direct democracy, even though doing so required thousands of citizens to assemble in public. If this worked, Rousseau argues, *any* state should be able to legislate through direct democracy, especially if they do not grow too big (he saw the city-state as an ideal size). It may be difficult to picture direct democracy working in modern nations of millions and billions, but it is still achievable in local governments and smaller nations. Indeed, there are a few remaining examples of direct democracy: some towns in Rousseau’s native Switzerland still make laws through *Landsgemeinde*, or public citizens’ councils, and some nonstate political groups (like the Zapatistas in Mexico) write laws communally.

While Rousseau absolutely believed in democracy in the modern sense of the term, his feelings about “democracy” can be difficult to understand because he uses the word in a completely different context. For Rousseau, a state is a democracy when most or all citizens participate in the *executive* functions of government—meaning that absolutely *everyone* works for the government. However, in its contemporary usage, “democracy” refers to a society in which all the citizens participate in the *legislative* side of governance. In this second sense, Rousseau believes in a democracy more radical than any that exists today: he rejected representative democracy and thought that a people must make its own laws and retain the final say over all political matters. While this form of participatory democracy has been virtually erased from the modern world as nations have grown and consolidated themselves, Rousseau reminds his readers that it should not be unthinkable, as “the boundaries of the possible in the moral realm are less narrow than we think.”



GOVERNMENT AND THE SEPARATION OF POWERS

While Rousseau makes it clear that the people should have sovereignty (or ultimate power) as a *community*, he does not have complete faith in all of the people as *individuals*. This is just one of many reasons that Rousseau advocates for the separation of powers: namely, he thinks that there has to be a separate executive agency, which he calls the government, to implement the laws that the **sovereign** creates. However, he also emphasizes the sovereign’s responsibility for closely controlling the government in order to prevent it from overreaching, and he suggests that a republic’s success rides largely on the balance between the government’s strength and

its accountability to the sovereign.

Government—which Rousseau defines as “the legitimate exercise of executive power”—is necessary because the sovereign is not capable of taking “particular acts.” In practical terms, this means that the people cannot be expected to enforce the laws against themselves, and so legitimate governments need a separate executive branch to do that job. In the abstract, Rousseau argues that the sovereign cannot undertake “particular acts” because it is bound to implement the general will, and “the general will cannot relate to any particular object.” For instance, say a state is about to go to war. While the sovereign people should have the authority to decide if a military draft is appropriate and pass a law instituting one if needed, it does not have the right to decide *who* will be drafted—this has to be done by the government because laws, by definition, cannot pick out specific people. It is not in the nation’s interest for one family’s children to go to war rather than another’s or, say, for certain people to have their prison sentences written into the constitution. These decisions are made when the laws are implemented by the government, not when they are first written by the legislature. By implementing the law when the legislature cannot, the government helps balance or mediate between this legislature (or the sovereign) and the subjects over whom they rule. Paradoxically, both the sovereign and the subjects are the people themselves, just presented from two different angles: the people *make* the laws as members of the sovereign, and they are *bound* to the laws as subjects of the state. This is where their inherent conflict of interest comes from: everyone brings their private interests as individuals into their public role as members of the sovereign. By making all laws general and ensuring that the government (not the sovereign) is in charge of implementing these laws, citizens’ private interests are minimized, and they are never forced into the difficult position of incriminating themselves.

As the government’s job is to ensure that citizens hold up both halves of their bargain—following the laws in addition to contributing to their formation—this government must have the right amount of power, so that it maintains the rule of law without getting in the sovereign’s way. Rousseau frequently emphasizes that the government works for the sovereign and has no legitimate authority besides the power that this sovereign delegates to it. But if the government grows too strong, it can pose a threat to the sovereign: its agents can “abuse their power” and put their own personal interests above the common good. On the other hand, if government is too weak, not only do the sovereign’s laws not get implemented, but disobedient citizens erode the rule of law and the perceived authority of the sovereign. Therefore, it is crucial that the government have neither too much power nor too little. Although Rousseau initially explains this through complicated mathematical equations, his argument is actually quite simple: when a nation has more people, government should be more

hierarchical because it has more to do and needs to be more efficient. In such a country, then, there should be fewer magistrates (or administrators) at the top of the executive branch and a smaller proportion of the populace should participate in government, as compared to a smaller and less populous country, which can afford to involve more people in government and deliberate longer to create more precise solutions to its smaller-scale problems.

This is how Rousseau differentiates between monarchy, aristocracy, and democracy: in a monarchy, one person controls the whole government; in an aristocracy, a small group of people does; and in a democracy, everyone works for the government (but there is no separation between the legislative and executive branches). Rousseau thinks that monarchies work better in larger states and democracies in smaller states, but an elected aristocracy is almost always the best system because it ensures that government administrators have fewer conflicts of interest and are elected based on their “honesty, sagacity, [and] experience.” However, it is important to clarify that these terms *only* pertain to the executive branch, and Rousseau thinks that all *lawmaking* power should always remain in the sovereign people’s hands. In short, he always believes in what is *now* called “democracy”—the people should rule, and they should elect a government to implement the laws they create. By balancing power between the sovereign and the government, Rousseau protects against corruption and ensures that all parts of the state work efficiently together. Readers might note that contemporary states have one more branch: a judiciary. In fact, Rousseau briefly mentions the importance of having a court system, or “tribunate,” to help balance power by stopping the passage of illegal legislation and the unequal enforcement of laws.

While the details of Rousseau’s ideal government—namely, the highly democratic legislature that holds power over a hierarchical, efficient executive branch—seems idealistic when compared to most modern democracies, there is no question that his fundamental belief in the separation of powers has played a critical role in the last several centuries of political theory and nation-building.



NATIONAL LONGEVITY AND MORAL VIRTUE

While *The Social Contract* primarily focuses on what a legitimate republic should look like in theory,

Rousseau also cites a number of historical examples to show why real states have failed in practice. In doing so, he emphasizes the unavoidable fact that no nation will survive forever, but he also outlines a number of strategies and best practices that nations can use to stay around for as long as possible. Even a state with perfectly-structured institutions can fail if self-perpetuating factors like inequality, inefficiency, or corruption lead the people or government administrators to

put their own personal interests above the common interests of the nation. In order to remain strong, then, republics need more than a good structure: they need a culture of moral virtue that gives people faith in their institutions, like religion did in the past, and that emphasizes the good governance that keeps nations healthy.

While Rousseau emphasizes the common traits and fundamental principles that he thinks should underlie all effective states, he also acknowledges the way diverse geographical, cultural, and historical contexts make different approaches to governance more and less appropriate in different places. For instance, he notes that a state must adjust its population to the amount and quality of territory it possesses, lest it leave fertile land untended or become overpopulated. While this argument looks relatively logical today, some of Rousseau’s other explanations are based on antiquated biases. For instance, Rousseau argues that hot climates produce despots and cold climates produce barbarians, while civilization happens to come about in “temperate regions.” Similarly, he argues that certain groups of people (like Russians) are too unruly or unintelligent to form civilizations—he believes such peoples need “a master, not a liberator,” and this argument replicates the logic that was used to justify the colonial conquest of non-Europeans’ land. To contemporary political scientists and anthropologists, Rousseau’s prejudiced analyses of ethnic, cultural, and geographical differences look racist and pseudoscientific. But it is up to readers to determine if this also threatens his underlying point: that diverse nations face different kinds of challenges, and to grow strong and survive, they must adapt to their unique local contexts.

Having argued why different kinds of states are more or less suitable for different conditions, Rousseau then emphasizes something that all states, “even the best constituted” ones, have in common: they will eventually fall. Rousseau compares the **body politic** (or republic) to the human body: its strength determines its longevity, but it can never live forever. Rousseau compares the sovereign (legislative branch) to the body’s heart: both must continue functioning in order for the whole organism to survive. If the government falls apart, the sovereign can replace it, but nothing can save a sovereign that starts passing poor laws or loses track of the principles on which the nation was founded. According to Rousseau, states tend to collapse when a strong government usurps the power of a weak sovereign: either the executive gets too much power and starts taking over legislative functions or the legislature grows so divided and indifferent that people stop sincerely looking out for the public good. Often, it is a combination of both. Regardless, if the government—which is made of *particular* people following their personal, *private* wills—takes over the legislature—which is supposed to comprise the people *as a whole* implementing the general will—then the republic

ceases to truly exist, because the people as a whole have lost the freedom to truly determine their own future. Rousseau argues that, while most aspects of government are relative—the concentration or dispersion of power works in some contexts and is counterproductive in others, for example—it is always possible to tell “whether a given people is well or badly governed,” in any culture, based on a number of “signs.” One such “sign” of a weakening state is a legislature that is divided into a few primary, warring factions. On the other hand, two “signs” of a strong state are a growing population and high levels of political engagement. Just as the heart has to keep beating, Rousseau concludes, the sovereign has to constantly return to the nation’s founding laws and assert its validity “in perpetuity,” just as many nations do with their founding constitutions.

For Rousseau, the way to keep the state’s “heart” beating is to form a moral culture that valorizes the nation, its laws, and its institutions. At the end of Book IV, Rousseau includes a lengthy chapter on religion, in which he implies that Christianity should have no place in prominent institutions and instead the sovereign should create its own “civil religion” to teach and reinforce moral behavior. Christianity effectively creates social harmony in unequal and hierarchical societies by convincing people to accept their oppression, Rousseau suggests, but a modern form of government needs a modern version of religion that rejects oppression. By focusing on principles like “the sanctity of the social contract and the law” and teaching people to never accept “intolerance,” Rousseau argues, a nation can teach its citizens to understand and cherish their place in the nation. This will lead them to participate actively in politics and strengthen the nation, and this moral culture can be passed down from generation to generation. More controversially, Rousseau also advocates censorship in order to “preserv[e]” a nation’s moral culture and prevent people from being “corrupted.” This point shows how profoundly important he thinks public morality is in shaping a nation’s political life, but it also raises doubts about the kinds of liberties he considers fundamental. Regardless, Rousseau’s ultimate point is that a healthy moral culture perpetuates itself and grows over time in a society: if a state correctly teaches its citizens to respect its founding laws and principles, those laws and principles grow stronger through time, and so does the state. This moral culture is like a vaccination for the state: it protects institutions from collapsing and ensures that the people will defend their rights and freedoms whenever they are threatened, even generations down the line.



THE HUMAN BODY AND THE BODY POLITIC

The “body politic” is a longstanding metaphor for the state or nation that extends back to ancient Sanskrit and Greek philosophy. (“Body” is the noun and “politic” is the adjective, so “body politic”—or “corps politique” in French—simply means “political body.”) This term compares a state to the human body, suggesting that a nation is made of different people and institutions who serve different functions, just like different body parts work in harmony to make up a human being. Rousseau uses this same metaphor throughout *The Social Contract*: for instance, he says that nations are like humans because they all eventually die, although the strongest ones live the longest, and he compares the legislative branch (or sovereign) to the heart (because it has to function “in perpetuity” for the whole “body” to remain alive). For Rousseau, then, the “body politic” metaphor is firstly a way of clearly explaining what a state *is*—it is a corporation or “artificial person” made up of a large number of citizens working together, under the equal conditions they established in the social contract. But Rousseau also uses this metaphor to cite his philosophical predecessors and, most importantly, to highlight his differences from them. Different philosophers have used this metaphor differently: for example, Thomas Hobbes, who put a drawing of the body politic metaphor on the cover of his book *Leviathan*, famously thought that a king should have absolute power as the sovereign (which he compared to the head, not the heart). But Rousseau, in contrast, thinks the people are sovereign, so his different use of the body politic symbol expresses his different philosophy. Indeed, Rousseau imagines a body politic made up of consenting, equal citizens in order to suggest that a society can be unified, coherent, *and* governed by and for the people.



QUOTES

Note: all page numbers for the quotes below refer to the Penguin edition of *The Social Contract* published in 1968.

Book 1, Introduction Quotes

●● My purpose is to consider if, in political society, there can be any legitimate and sure principle of government, taking men as they are and laws as they might be.

Related Characters: Jean-Jacques Rousseau (speaker)

Related Themes: 

Page Number: 49



SYMBOLS

Symbols appear in **teal text** throughout the Summary and Analysis sections of this LitChart.

Explanation and Analysis

At the beginning of *The Social Contract*, Rousseau explains the goal of his inquiry: to find a “legitimate and sure principle of government.” First, readers should note that Rousseau is using the word *government* here in a way different from how he uses it throughout the rest of the book. Whereas he usually uses *government* to mean the executive branch of a state, this line is an exception: here, he is talking about government as the practice or action of governing.

The crucial word in Rousseau’s statement of purpose is *legitimate*, which means that the state has a valid authority to implement its laws. In other words, Rousseau is really asking where a state gets its authority to rule from and how it can exercise this authority responsibly. In Book I, he focuses on the first question and argues that the people give a state its authority, and in Books II and III, he examines how the state must act in order to keep this authority, make valid laws, and ensure that those laws are properly implemented. (Book IV takes up a series of other topics.)

In this opening passage, Rousseau also emphasizes that his project is *theoretical*: he looks at “laws as they might be,” rather than as they really are. (This contrasts with his previous book, the *Discourse on Inequality*, which took up similar themes from an empirical perspective.) In other words, Rousseau is imagining what a legitimate republic *would* be like, and he is absolutely *not* examining the legitimacy of societies that actually exist. Therefore, although Rousseau concludes that a legitimate society is possible and can help cultivate human freedom, this does not mean that such a society exists, nor that the formation of society in general has advanced human freedom. While Rousseau only writes about hypothetical states, however, he also hopes to examine “men as they are,” which is his way of saying that his analysis is based on an assessment of human nature. Later in the book, he does this in two ways. First, he argues that freedom and self-preservation are the foundational principles of all human life—since a legitimate state must be built for humans, it must be compatible with (and advance) those ends. Secondly, Rousseau accounts for how society forms by making reference to the “state of nature.” Even though he says he is “taking men as they are,” this “state of nature” is actually a thought experiment: following earlier philosophers like Thomas Hobbes and John Locke, Rousseau asks what human life would be like without social organization, and he uses this hypothetical scenario as his basis for describing how a legitimate state can form and govern itself.

●● Born as I was the citizen of a free state and a member of its sovereign body, the very right to vote imposes on me the duty to instruct myself in public affairs, however little influence my voice may have in them. And whenever I reflect upon governments, I am happy to find that my studies always give me fresh reasons for admiring that of my own country.

Related Characters: Jean-Jacques Rousseau (speaker)

Related Themes:   

Related Symbols: 

Page Number: 49

Explanation and Analysis

Before jumping into his full argument, Rousseau offers this aside about his own sense of civic responsibility. He was a proud citizen of Geneva—proud enough that he actually signed this book (and many others) “*J.-J. Rousseau, Citizen of Geneva*.” In Rousseau’s time, Geneva was an independent Protestant city-state, and though it was theoretically ruled by its citizens, Geneva was actually run by a small group of aristocrats. To make matters worse, Rousseau had lost his Genevan citizenship several years before writing *The Social Contract*, when he ran away from the city and converted to Catholicism. And he ended up getting driven out of Geneva for good shortly after publishing this book, since his defense of popular sovereignty and criticism of Christianity were too much for the Genevan government to handle.

Rousseau’s pride in his citizenship is thus clearly ironic: he idolized Geneva’s founding ideals and principles, but he believed it had fallen into corruption and lost its legitimacy. So when he presents his “studies” as a way of fulfilling his “duty to instruct [him]self in public affairs,” he is highlighting the power that citizens *should* have in Geneva while making it clear that they do not actually have this power. He is also advancing his own political theory, to which the concept of open rational deliberation among citizens is central—he ultimately argues that all citizens should be able to assemble and participate in the formation of laws and principles for the nation, so he presents this book as part of that process of discussion. And yet he no doubt knew that his work would threaten the established order of power in Geneva precisely by attempting to improve its political system.

Book 1, Chapter 1 Quotes

●● Man was born free, and he is everywhere in chains.

Related Characters: Jean-Jacques Rousseau (speaker)

Related Themes: 

Page Number: 49

Explanation and Analysis

Rousseau's famous first line illustrates the predicament that his search for a "legitimate and sure principle of government" is designed to solve. First, everyone is "born free"—Rousseau is not talking about individual people, but rather about humanity as a whole in its undeveloped or natural state. Essentially, in the state of nature, nothing restricts people from doing anything they want to do and are physically capable of doing. In other words, people are completely autonomous or free. This contrasts with the condition of people living in society: these people are "everywhere in chains" because they are completely dependent on other people, bound to common rules, and forced to live in certain ways in order to survive the brutal inequalities of human society. Whereas people's freedom illustrates their potential, their being "in chains" reveals how society has stifled that potential. In this book, Rousseau wants to show how society can do the opposite and actually advance human freedom.

This sentence also allows Rousseau to transition from the subject matter of his previous book, the *Discourse on Inequality*, to this one. The *Discourse* explained how society has actually worsened inequality over time by further concentrating wealth and power in the hands of a minority, and this is precisely why people are now "in chains." If a good society should help people express their inherent freedom, it must be based on the principle of freedom. And by pointing out that people are inherently free, Rousseau sets up this principle, which becomes foundational to his theory of the social contract: because everyone's humanity depends on their being free, nobody can give up their freedom, so any legitimate political community must be formed through free consent.

Book 1, Chapter 2 Quotes

☛☛ If there are slaves by nature, it is only because there has been slavery against nature. Force made the first slaves; and their cowardice perpetuates their slavery.

Related Characters: Jean-Jacques Rousseau (speaker), Thomas Hobbes, Hugo Grotius

Related Themes:  

Page Number: 52

Explanation and Analysis

After he initially poses the question of how society must relate to people's freedom in order to be legitimate, Rousseau begins investigating whether there can be any legitimate social relationships based on coercion (which is the opposite of freedom). He concludes that there cannot be, which marks a break from philosophical tradition. Earlier philosophers, like Hugo Grotius and Thomas Hobbes, argued that the state's purpose is to institutionalize and defend the power of the wealthy, and even the celebrated ancient Greek philosopher Aristotle thought that some people were simply "born for slavery" by nature. Rousseau disagrees: he thinks that everyone is inherently free, and this freedom is what separates humans from animals. If this is true, then even slaves are actually born free "by nature," and their enslavement is an unjust violation of their freedom. Rousseau builds off of this argument in order to show that a legitimate state cannot force anyone to join or oppress the weak for the benefit of the strong. Rather, he thinks that a legitimate state must come into being when people all freely decide to form a community of equals, and it must preserve this equality and promote its citizens' freedom.

This is significant not only because it reveals how radical Rousseau's views about freedom were, but also because it foreshadows his later arguments about how culture and conditioning profoundly influence people's character and actions. Namely, here he argues that people are forced into slavery, taught that they deserve to be slaves or cannot improve their condition, and ultimately turned into "coward[s]" who do not resist the people who rule over them. A population becomes disenfranchised in much the same way, and this allows corrupt officials and institutions to seize power. While a culture that denies freedom can lead to corruption, however, Rousseau believes that the reverse is also true: a society can pass down positive moral values and cultural norms to its children and use these norms to show them how to make the most of their freedom. Concretely, for Rousseau, this means teaching people to participate in lawmaking and take pride in their citizenship.

Book 1, Chapter 4 Quotes

☛☛ Since no man has any natural authority over his fellows, and since force alone bestows no right, all legitimate authority among men must be based on covenants.

Related Characters: Jean-Jacques Rousseau (speaker)

Related Themes: 

Page Number: 53

Explanation and Analysis

After analyzing human nature in Book I, Rousseau comes to the conclusion that all “legitimate authority among men” requires the free consent of the people who live under it. In other words, morality cannot come from “force alone,” but only from rules to which everyone agrees. This is because all people are inherently free to live as they wish in the state of nature (which gives “no man [...] any natural authority over his fellows”). What’s more, mere power cannot create morality or legitimate authority: somebody is not right just because they have a gun, or wrong just because they are physically weaker.

Since there is no legitimate “natural authority” among humans, the only kind of authority that *can* be legitimate is social authority. All human morality also requires respecting human freedom, which is what makes morality possible and meaningful in the first place (since if people could not freely choose their actions, they could not be morally praised or blamed for those actions). Therefore, the only kind of legitimate authority is a social authority that everyone freely chooses—or a *covenant* (agreement). Rousseau is saying that while most states essentially just rule their citizens through coercive force, it is possible for a state to form through a willful, collaborative act of its citizens—or a *social contract*. This becomes Rousseau’s condition for considering a state legitimate.

☞ To renounce freedom is to renounce one’s humanity, one’s rights as a man and equally one’s duties. There is no possible *quid pro quo* for one who renounces everything; indeed such renunciation is contrary to man’s very nature; for if you take away all freedom of the will, you strip a man’s actions of all moral significance. Finally, any covenant which stipulated absolute dominion for one party and absolute obedience for the other would be illogical and nugatory. Is it not evident that he who is entitled to demand everything owes nothing? And does not the single fact of there being no reciprocity, no mutual obligation, nullify the act? For what right can my slave have against me? If everything he has belongs to me, his right is *my* right, and it would be nonsense to speak of my having a right *against* myself.

Related Characters: Jean-Jacques Rousseau (speaker),

Thomas Hobbes, Hugo Grotius

Related Themes: 

Page Number: 55

Explanation and Analysis

After explaining why free covenants are the only legitimate source of authority among human beings, Rousseau goes on to explain why it is impossible to legitimately sacrifice one’s own freedom through such a covenant. First, freedom is the condition for all other moral values, so it cannot be given away; and second, a covenant requires an exchange of one thing for another. But as Rousseau explains here, if someone agrees to be a slave, they are giving away everything, including their ability to receive anything in return. As a result, it is incoherent for people to accept a covenant that lacks “reciprocity” or “mutual obligation.”

Most directly, this argument allows Rousseau to conclude that slavery is absolutely illegitimate under any circumstances. By extrapolation to politics, this also means that the state cannot “demand everything” from people and people cannot sign themselves over entirely to a state: rather, they must get something in return for agreeing to join society. This is Rousseau’s basis for arguing that the social contract must be a covenant among equals, and on this point he significantly diverges from the social contract theory of Thomas Hobbes, who thought that citizens give up all their rights and freedoms to a higher power (like a king) when they decide to join society. Rousseau is more optimistic: he thinks people can become free *through* society, rather than having to choose between freedom and society. This is possible because, first, people retain their freedom in society because they help decide the actions of the community as a whole by participating in politics, and second, any state must recognize certain fundamental rights and freedoms for its citizens—in other words, there must always be a limit to the state’s power.

Book 1, Chapter 6 Quotes

☞ “How to find a form of association which will defend the person and goods of each member with the collective force of all, and under which each individual, while uniting himself with the others, obeys no one but himself, and remains as free as before.” This is the fundamental problem to which the social contract holds the solution.

Related Characters: Jean-Jacques Rousseau (speaker)

Related Themes: 

Page Number: 60

Explanation and Analysis

After explaining why legitimate political authority has to be based on a social contract and why that contract needs to sustain citizens' freedom, Rousseau explains how a group of people might actually make such a contract. He notes that this would likely happen when they are under threat in the state of nature and realize that their chances of success and survival are higher if they collaborate. They form a kind of pact to protect "each member" of the group "with the collective force of all," while they otherwise continue to live their lives as before. But then they can also take this pact one step further and decide to actually start "uniting" or living together *as a community*, which fundamentally requires them to reconceptualize who they are: each person shifts from thinking about themselves as an individual to thinking about themselves as a member of this community. They begin to make decisions collectively, as a community or composite body, which means that this composite retains its freedom and continues to obey its own will, just as every individual did before. When they join society, Rousseau concludes, people's freedom does not go away: rather, it transforms, turning into the "civil freedom" of a member of the nation.

external, preexisting authority, nor are they making a commitment to their fellow citizens as individuals, or even as a group separate from themselves. Rather, their commitment is to "society," which is a collective being "of which [they are] a member," formed through the social contract itself. This collective is the same kind of group as a club, political party, or corporation: it is made up of individuals, but it is a unified whole that acts as a single entity.

In joining this community, Rousseau continues, people suddenly take on two opposing identities: they are both "a member of the sovereign body in relation to individuals" and "a member of the state in relation to the sovereign." This can be confusing because of Rousseau's complex terminology, but what he is really saying is that people both participate in governing and actually get governed when they join society. Having transformed their individual freedom into a portion of society's collective freedom, they get a voice in the decision-making (or legislative) arm of the state, which Rousseau calls the "sovereign." And, having agreed to protect others in exchange for their own protection, people find that the laws also apply to them as individuals. So they constantly juggle these two personalities, just like, for example, someone who goes on a diet both sets that diet and has to follow it. Rousseau uses the terms "citizens" and "subjects" to refer to these two dimensions: people are "citizens" because they are part of the sovereign and help *make* the law, and they are "subjects" because they are part of the state and the law gets *applied* to them.

Book 1, Chapter 7 Quotes

●● The act of association consists of a reciprocal commitment between society and the individual, so that each person, in making a contract, as it were, with himself, finds himself doubly committed, first, as a member of the sovereign body in relation to individuals, and secondly as a member of the state in relation to the sovereign. Here there can be no invoking the principle of civil law which says that no man is bound by a contract with himself, for there is a great difference between having an obligation to oneself and having an obligation to something of which one is a member.

●● Hence, in order that the social pact shall not be an empty formula, it is tacitly implied in that commitment—which alone can give force to all others—that whoever refuses to obey the general will shall be constrained to do so by the whole body, which means nothing other than that he shall be forced to be free; for this is the necessary condition which, by giving each citizen to the nation, secures him against all personal dependence, it is the condition which shapes both the design and the working of the political machine, and which alone bestows justice on civil contracts—without it, such contracts would be absurd, tyrannical and liable to the grossest abuse.

Related Characters: Jean-Jacques Rousseau (speaker)

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Explanation and Analysis

When people agree to the social contract, Rousseau explains, they are not making a covenant with some

Related Characters: Jean-Jacques Rousseau (speaker)

Related Themes:  

Related Symbols: 

Page Number: 64

Explanation and Analysis

When people join society by agreeing to the social contract, Rousseau argues, they in turn agree to let the decisions of society as a whole stand in for their own individual will. In other words, by giving themselves to the community, people stop thinking about their freedom as individual and instead begin to see it as part of the whole society's collective freedom: they are now free not because they can do anything they want, but rather because they are a voting member of a sovereign people who freely determines its own fate through politics. So to fulfill their freedom under the social contract, individuals need to go along with what the general will—or what society decides is in its best overall interests. But this can create a problem when individuals refuse to follow the dictates of the whole community. For instance, while the general will might require someone to sell their land to the state so that the people can build a road, the individual who owns that land might refuse to sell. In this kind of instance, Rousseau asks, how can someone go along with their community without losing their freedom in the process?

Rousseau concludes that people must go along with the community because *that* is exactly what makes them free. In other words, people do not lose their freedom by agreeing to implement the general will, because through the social contract their freedom has become synonymous with the general will. Therefore, if they forget that they have made this commitment for some reason, the state can compel them to follow the law, which means they are being “forced to be free.” After all, if the community could not enforce its laws, then self-interested individuals would simply refuse to cooperate with the state when they do not feel like it. And because everyone is fundamentally self-interested, according to Rousseau, in this circumstance the state would cease functioning.

This does not mean that people do not have individual rights, but Rousseau holds that people's commitment to the general will in the social contract is based precisely on the notion that they *give up* certain rights to the community. They still have some individual rights in a society, of course, and cannot be compelled to sacrifice them except when necessary. But when it is necessary, people must fulfill the original social contract, in which they agreed to step up for the defense of society as a whole, just as everyone else in society is willing to do for them.

Book 1, Chapter 8 Quotes

☝☝ Suppose we draw up a balance sheet, so that the losses and gains may be readily compared. What man loses by the social contract is his natural liberty and the absolute right to anything that tempts him and that he can take; what he gains by the social contract is civil liberty and the legal right of property in what he possesses. If we are to avoid mistakes in weighing the one side against the other, we must clearly distinguish between *natural* liberty, which has no limit but the physical power of the individual concerned, and *civil* liberty, which is limited by the general will; and we must distinguish also between *possession*, which is based only on force or “the right of the first occupant,” and *property*, which must rest on a legal title.

We might also add that man acquires with civil society, moral freedom, which alone makes man the master of himself; for to be governed by appetite alone is slavery, while obedience to a law one prescribes to oneself is freedom. However, I have already said more than enough on this subject, and the philosophical meaning of the word “freedom” is no part of my subject here.

Related Characters: Jean-Jacques Rousseau (speaker)

Related Themes: 

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Explanation and Analysis

At the end of Book I, Rousseau returns to the question with which he began: since people could never willingly give up their freedom, how can they join society? In other words, is it possible for people to join society and *keep* their freedom? His theory of the social contract and general will directly answers this question: people gain more freedom from a legitimate society than they lose, Rousseau thinks, and so it is actually in their best interests to join the social contract.

When people agree to join society, Rousseau clarifies here, they decide to trade “natural liberty” for “civil liberty.” In the first, under the state of nature, people's freedom is measured only by their physical strength, and nobody has any enduring right to keep any of the things they possess. As a result, people must always guard their lives and their possessions. In contrast, people give themselves civil rights through the social contract, which essentially means that everyone agrees not to mess with other people's freedoms and property, in exchange for the guarantee that their own freedom and property will remain secure. This civil liberty, Rousseau emphasizes here, is what truly makes people free and allows them to fulfill their greatest potential: because they are relieved of the task of guarding their lives and

possessions full-time, they can pursue more sophisticated goals. And most importantly, they can choose to organize their lives according to *rational* principles, rather than living in “slavery” to their appetites and desires, both because they join the national community that decides its own future rationally and because they are capable of articulating and pursuing goals with purposes more complex than the mere satisfaction of needs.

Book 2, Chapter 5 Quotes

☝ It is in order to avoid becoming the victim of a murderer that one consents to die if one becomes a murderer oneself.

Related Characters: Jean-Jacques Rousseau (speaker)

Related Themes:  

Page Number: 79

Explanation and Analysis

In this chapter, Rousseau takes up the thorny question of whether the state has a right to its members’ lives. He concludes that, while it has no right to take their lives arbitrarily, the state *can* compel people to risk their lives in defense of the nation. This is legitimate precisely because the state is what secures people’s lives in the first place, and it often needs to do this by putting its individual members’ security on the line. In a sense, the social contract *always* establishes that some people will risk their lives for all the others. Similarly, Rousseau argues, the death penalty is legitimate because it is a logical extension of the social contract: while the state cannot kill its faithful citizens at will, it *can* kill anyone who breaks the social contract, because they have violated the terms of their citizenship and therefore lost their legitimate claim to the state’s protection. Moreover, the state actually *must* punish the guilty in order to fulfill its side of the social contract and guarantee other citizens the mutual protection and just outcomes that motivated them to sign up for society in the first place. Accordingly, Rousseau concludes, the state has a right to put murderers to death both because those murderers consented to being punished if they commit a crime when they joined the social contract *and* because they have broken that same contract. Whether they are enemies of the state or criminals who belong to it, then, murders can legitimately be put to death. (However, Rousseau emphasizes that this does not mean states *should* put citizens to death—only that it is acceptable for them to do so in certain extreme cases.)

Book 2, Chapter 6 Quotes

☝ I have already said that the general will cannot relate to any particular object. For such a particular object is either within the state or outside the state. If it is outside, then a will which is alien to it is not general with regard to it: if the object is within the state, it forms a part of the state. Thus there comes into being a relationship between the whole and the part which involves two separate entities, the part being one, and the whole, less that particular part, being the other. But a whole less a particular part is no longer a whole; and so as long as this relationship exists there is no whole but only two unequal parts, from which it follows that the will of the one is no longer general with respect to the other.

Related Characters: Jean-Jacques Rousseau (speaker)

Related Themes:  

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Explanation and Analysis

After he explains how the people of a nation form its sovereign and take responsibility for its laws, Rousseau next asks what the law *actually is*. He concludes that the law must be a general rule that “considers all subjects collectively and all actions in the abstract” because of the important principle that he explains here: “the general will cannot relate to any particular object.” This principle has wide-ranging effects because it is Rousseau’s primary philosophical justification for wanting to establish a government that is separate and complementary to the sovereign. While the sovereign writes laws, the government implements them, because only the government can “relate to any particular object.”

What does Rousseau mean when he says that “the general will cannot relate to any particular object”? The general will is the will of the sovereign, which is the composite body made of all of a society’s citizens. There is only one general will, and it strives for whatever is best for the *entire* national community by prescribing some course of action. A “particular object” would be any individual, institution, legal claim, or piece of property that the general will requires to act. However, Rousseau argues that, because the general will is *general*, it cannot pick out which specific people, institutions, and so on it will require to act, because this would mean turning the majority of the state (everyone who stands to benefit from the particular individual or institution’s sacrifice to the state) against the particular person or group who is called to make a sacrifice. But this means that there are two particular wills fighting, rather

than a general will being expressed. In short, this leads to a conflict of interest, so Rousseau thinks a separate institution must be created to decide who can be called upon to make the sacrifices that are necessary to the state (and how the general will can be implemented more broadly).

☛ We can no longer ask who is to make laws, because laws are acts of the general will; no longer ask if the prince is above the law, because he is a part of the state; no longer ask if the law can be unjust, because no one is unjust to himself; and no longer ask how we can be both free and subject to laws, for the laws are but registers of what we ourselves desire.

Related Characters: Jean-Jacques Rousseau (speaker)

Related Themes:  

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Explanation and Analysis

Having explained that the nation as a whole creates laws for itself as a whole, Rousseau makes this proclamation of equality and civil obligation, which was very radical for his time. Because all citizens take an equal part in making the laws and are inherently equal members of the nation (which they all joined in the same way, by submitting to the authority of the body politic out of their own free will), Rousseau contends that they must all be equal before the law. When he talks about the “prince,” he specifically means the people who run the government, because they are also citizens with voting powers and obligations to follow the law. But he would no doubt think that noblemen and monarchs would also be completely and equally bound to the law (indeed, they would certainly lose their unearned power under Rousseau’s ideal of a republic). Now, this belief in equality before the law is foundational, or even assumed, in most modern republican nation-states, and this is largely thanks to Rousseau. In contrast, Rousseau’s declaration that no “law can be unjust” would sound very out of place today, but it is critical to remember that he is talking about an ideal system of government: while he recognizes that no real republic will ever have a perfect system of completely just laws, he does think that every republic ought to constantly strive to create a greater degree of justice and equality through its laws. Accordingly, if and when the law *truly does* reflect the general will, it is the product of the citizens’ collective freedom and therefore cannot be unjust or contrary to freedom.

Book 2, Chapter 7 Quotes

☛ Whoever ventures on the enterprise of setting up a people must be ready, shall we say, to change human nature, to transform each individual, who by himself is entirely complete and solitary, into a part of a much greater whole, from which that same individual will then receive, in a sense, his life and his being. The founder of nations must weaken the structure of man in order to fortify it, to replace the physical and independent existence we have all received from nature with a moral and communal existence. In a word each man must be stripped of his own powers, and given powers which are external to him, and which he cannot use without the help of others. The nearer men’s natural powers are to extinction or annihilation, and the stronger and more lasting their acquired powers, the stronger and more perfect is the social institution.

Related Characters: Jean-Jacques Rousseau (speaker)

Related Themes:  

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Explanation and Analysis

Although Rousseau argues that the people themselves create and give legitimacy to their nation through a social contract, he also acknowledges that some original impetus needs to convince them to make this contract and form a community in the first place. He calls the person who provides this original impetus or force the “lawgiver” or “founder of nations.” Much like a religious leader, a lawgiver rallies people around a common culture, identity, and/or set of values in order to get them to see what interests they have in common and lead them to form a national community based on those shared interests. However, this requires a profound “change [in] human nature,” because the lawgiver must teach people to redefine their identities. People must learn to think of themselves as members of a community, and not just as individuals. But Rousseau notes that this process is paradoxical because humans inevitably and naturally pursue their own self-interest first: the lawgiver must break people down and make them dependent on one another in order to enable them to build themselves back up, together, as a community. Therefore, Rousseau notes, stronger states form when people are more desperate, while when people are strong and independent, they are unlikely to agree to the protection and obligations of citizenship. Through this argument, Rousseau highlights the crucial distinction between a state’s *legitimacy* (or valid authority over its people), which depends on whether it has been created through a social contract, and a state’s *health, strength, and longevity*, which depend on the character and culture of the national community itself.

Book 2, Chapter 11 Quotes

☞ As for equality, this word must not be taken to imply that degrees of power and wealth should be absolutely the same for all, but rather that power shall stop short of violence and never be exercised except by virtue of authority and law, and, where wealth is concerned, that no citizen shall be rich enough to buy another and none so poor as to be forced to sell himself; this in turn implies that the more exalted persons need moderation in goods and influence and the humbler persons moderation in avarice and covetousness.

Related Characters: Jean-Jacques Rousseau (speaker)

Related Themes: 

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Explanation and Analysis

Throughout *The Social Contract*, Rousseau emphasizes that equality is, in one sense, a condition for a legitimate republic, and, in another sense, desirable to whatever degree it can be achieved. The first kind of equality is people's legal or civil equality when they agree to the social contract, form a society, and participate in political deliberations as members of the sovereign. This equality is the product of the *conditions* under which people join society: everyone makes the same agreement, based on the same capacity (free will), for the same purpose (to have the same rights protected). Therefore, by definition, all citizens are equal in a moral and legal sense.

But Rousseau knows that this moral and legal equality does not necessarily imply equality in terms of wealth and power, and he also recognizes that such material inequalities can have profoundly negative effects for society. At worst, they can lead to people losing their moral and legal equality—for instance, if they are forced to sacrifice their freedom and rights to other private individuals in order to survive (like by agreeing to unfair labor arrangements), or if the rich amass so much power that they begin to control the workings of the sovereign and the government. (In fact, this is an extension of his argument in the *Discourse on Inequality*.) Therefore, Rousseau offers this warning, in which he notes that while not all material inequalities actually make a difference in politics or create injustice in society, all inequalities that *do* make such a difference should be eradicated in order to ensure that people remain equal before the law.

Book 3, Chapter 1 Quotes

☞ The public force thus needs its own agent to call it together and put it into action in accordance with the instructions of the general will, to serve also as a means of communication between the state and the sovereign, and in a sense to do for the public person what is done for the individual by the union of soul and body. This is the reason why the state needs a government, something often unhappily confused with the sovereign, but of which it is really only the minister.

What, then, is the government? An intermediary body established between the subjects and the sovereign for their mutual communication, a body charged with the execution of the laws and the maintenance of freedom, both civil and political.

Related Characters: Jean-Jacques Rousseau (speaker)

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Explanation and Analysis

After explaining that a state is legitimate because of its citizens' consent to the social contract in Book I and arguing that a legitimate state should exercise its power by creating laws that implement the general will in Book II, in Book III, Rousseau turns to how a state can actually impose and enforce its laws. Because the sovereign is limited to acting on behalf of the general will (or in the overall best interests of citizens), it cannot actually “put [the laws] into action.” Rather, a separate executive branch is needed for this purpose, and this branch *works for* the sovereign, rather than having equal status to or power over it. Rousseau calls this branch the “government” (which is *not* to be confused with the contemporary American use of “government” to refer to the entire state as a whole). Here, he emphasizes this distinction, which must be grasped in order for his argument to be understood. In addition to “the execution of the laws,” because these laws are designed to preserve the freedom of the people, the government is also responsible for “the maintenance of freedom.” And because the citizens who make these laws are also the subjects who are held to them, the government serves to enable “mutual communication” between the people when they make the laws and the same people when they are charged to fulfill them. In other words, the government has to keep the people honest, ensuring that they individually follow the principles that they agreed upon as a collective.

Book 3, Chapter 11 Quotes

☞ Such 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 wish, then, to set up a lasting constitution, let us not dream of making it eternal. We can succeed only if we avoid attempting the impossible and flattering ourselves that we can give to the work of man a durability that does not belong to human things.

Related Characters: Jean-Jacques Rousseau (speaker)

Related Themes: 

Related Symbols: 

Page Number: 134

Explanation and Analysis

After explaining how a government should be structured so that it has enough power to enforce the laws, but not so much power that it can usurp the sovereign's authority to set the laws, Rousseau admits that this usurpation is more or less inevitable. All states, even "the best constituted," inevitably fall when it happens. This usurpation is "natural and inevitable" because of people's self-interest and inherent drive for power, which people who participate in the government will inevitably try to seize, even at the expense of the citizens they are supposed to be serving. But Rousseau compares this inevitable decline to the human body's inevitable death: both are natural processes that can be delayed (but never prevented) by the right kind of practices. Just as people can prolong their lives by focusing on their health, eating well, and so on, a nation can prolong its own life by promoting a culture of moral virtue and civic participation, in which citizens take their responsibility to the nation as members of the sovereign very seriously and are always willing to call out and stop government corruption and abuse.

Book 3, Chapter 12 Quotes

☞ The sovereign, having no other force than the legislative power, acts only through the laws, and since the laws are nothing other than authentic acts of the general will, the sovereign can act only when the people is assembled.

Related Characters: Jean-Jacques Rousseau (speaker)

Related Themes:  

Page Number: 136

Explanation and Analysis

One important measure that the nation can take to prevent the government from usurping the people's sovereignty is to ensure that the citizens assemble regularly, both to create laws (which is their job as the sovereign) and to provide a check on the government's power by reviewing its performance. First, the sovereign's laws are only legitimate because they express the general will, which means they are rationally created for the benefit of the entire citizenry. The sovereign decides these laws through deliberations, but since these laws must appeal to *everyone's* common good, *everyone* must participate in the deliberation process. In other words, Rousseau thinks that citizens must physically assemble in one place and all have a voice in their nation's laws, in order for those laws to have legitimacy.

Throughout *The Social Contract*, Rousseau also emphasizes that the government *works for* the sovereign. The government has no power of its own, but only the power that is given to it by the sovereign. Therefore, when it abuses its power, it should be fired and replaced, and as long as the citizens are quick to do this whenever the government grows corrupt, they can improve their nation's health and prolong its life.

☞ The boundaries of the possible in the moral realm are less narrow than we think; it is our own weaknesses, our vices and our prejudices that limit them. Base minds do not believe in great men; low slaves jeer in mockery at the word "freedom."

Related Characters: Jean-Jacques Rousseau (speaker)

Related Themes:  

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Explanation and Analysis

Rousseau acknowledges that his proposal for direct citizen participation in lawmaking was radical and probably seemed completely impractical to his contemporaries. And it is likely to look *even more* outdated and impossible to contemporary readers. How can a modern nation—even a small one, with a few hundred thousand or a million citizens—get everyone to assemble in one place and agree on laws together? Where could the space be found, how could people travel to the capital, and how could they all vote on every piece of legislation without the lawmaking process becoming interminable and unbearably slow?

Ultimately, Rousseau’s willingness to challenge the boundaries of socially accepted and acknowledged possibilities was a significant part of the reason that his work made the enormous impact it did—above all, in helping catalyze the French Revolution. He asks his readers to suspend their disbelief and take a radical leap of faith with him. He notes that the Roman Republic found a way for hundreds of thousands of citizens to vote through *comitia* (which he explains later, in Book IV), and he believes that there are clear ways that much larger states could give everyone a say in the law rather than electing representatives. Indeed, modern elections and local governments both do this, to an extent: while elections are a herculean undertaking, most contemporary nations conduct them, and it is thinkable that states could establish permanent polling places that allow citizens to vote on legislation habitually, with the same regularity as they buy groceries or go to work. (Digital technology makes this even easier to imagine.) Arguably, the persistent gaps between public opinion and public policy would be remedied if citizens could vote on legislation directly, rather than relying on representatives who can be corrupted by special interests and their own greed.

while its health depends on how enthusiastically and successfully they do so. This distinction is important: a nation could easily establish a system of popular sovereignty without its citizens actually putting it into practice, or it could have a politically active citizenry but illegitimate institutions that do not give these citizens power.

In this passage, he illustrates how a nation’s *health* (as opposed to its *legitimacy*) depends on—and can be measured through—citizens’ involvement in politics. If a nation is working successfully for the people by creating and implementing laws that benefit them, it only follows that the people would be proud of their nation and their place in it as citizens. They would want to participate in “public business,” find their “happiness” through the national community, and view their civic duties as a privilege rather than a burden.

This point shows how political and moral culture are crucial for Rousseau in a number of different ways. Because they determine a state’s health (as they either drive people to participate in politics or disengage from it), they are also a measurable *sign* of this health. And, of course, they are crucial to the state’s long-term survival, because the more the citizenry participates in politics, the more likely it is that they will be able to prevent private interests from taking over the levers of power. Finally, a strong moral culture is self-reinforcing, while a weak one collapses in upon itself. If people participate in politics, they are likely to create good laws that reflect their will and sustain their rightful power over the government. But when the people grow disinterested and stop participating in politics, not only do the laws worsen, but the government also gets an opportunity to usurp the sovereign’s power and replace the legitimate state with fraudulent institutions that serve administrators’ own private interests. Accordingly, once a nation’s political culture starts to decline, it is both crucial and incredibly difficult to reverse this decline before it leads to absolute collapse.

Book 3, Chapter 15 Quotes

☛ The better the state is constituted, the more does public business take precedence over private in the minds of the citizens. There is indeed much less private business, because the sum of the public happiness furnishes a larger proportion of each individual’s happiness, so there remains less for him to seek on his own. In a well-regulated nation, every man hastens to the assemblies; under a bad government, no one wants to take a step to go to them, because no one feels the least interest in what is done there, since it is predictable that the general will will not be dominant, and, in short, because domestic concerns absorb all the individual’s attention. Good laws lead men to make better ones; bad laws lead to worse. As soon as someone says of the business of the state—“What does it matter to me?”—then the state must be reckoned lost.

Related Characters: Jean-Jacques Rousseau (speaker)

Related Themes:   

Page Number: 140-1

Explanation and Analysis

According to Rousseau, a republic’s legitimacy depends on whether its citizens work collaboratively to set its laws,

☛ The idea of representation is a modern one. It comes to us from feudal government, from that iniquitous and absurd system under which the human race is degraded and which dishonours the name of man. In the republics and even in the monarchies of the ancient world, the people never had representatives; the very word was unknown.

Related Characters: Jean-Jacques Rousseau (speaker)

Related Themes: 

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Explanation and Analysis

Rousseau's ideas about popular sovereignty have been so influential that they are now considered axiomatic in most contemporary nation-states. However, this does not mean he would be satisfied with the so-called liberal democracies of the 21st century. Among other complaints, he would likely be virulently opposed to the use of representatives (meaning elected congresspeople and members of parliament) to make laws. While he argues that a system of elected representatives is appropriate when choosing *government administrators* (since it would be inefficient, create conflicts of interest, and divide the general will if absolutely everyone shared control over how the laws are implemented), he thinks that the legislature absolutely must be open to the votes and voices of absolutely all citizens.

While modern nation-states present representatives as a way of making voting more efficient and government more effective, in fact Rousseau sees it as the opposite: using representatives is a way of consolidating power in the hands of a few, who will inevitably put their own private interests above the public interests of the whole society, and as a result it leads to the destruction of popular sovereignty and (eventually) the nation as a whole. Historically, he argues that it comes from feudalism rather than republicanism—although he died before most of the world's contemporary republics were built, he would almost certainly think that the aristocrats of the 18th century used representative government as an excuse to maintain their power over the people, who believed they were becoming sovereign by forming a republic.

Rousseau argues that a legitimate state will always have to deal with inevitable tensions between the people—who rightfully hold sovereign power through the social contract that preserves their freedom—and the magistrates (or administrators) who work for the government. While these magistrates are necessary in order to make sure that laws are applied without creating conflicts of interest among the rest of the citizenry, they are also inevitably self-interested, like any other human being, and so they always seek to expand their power—even when this means undermining the people's legitimate power to make laws, or usurping the authority of the sovereign.

When the government begins usurping power, it is difficult to stop, especially if the people have already grown apathetic about politics. In this passage, Rousseau argues that regular citizens' assemblies are the best way to keep this from happening. The government's power is not absolute, but rather comes from the sovereign's power, which means that the sovereign can legitimately fire, weaken, or restructure the government at any time. As a result, if the citizens are legally obligated to meet regularly, even a corrupt government cannot stop them, and even if they are apathetic, they will have the opportunity to exercise the rightful authority to dissolve the government. By writing these procedures into the political law and creating an institutional culture dedicated to preserving them, Rousseau argues, a nation establishes a powerful preventative measure to help the people fight against government corruption and tyranny.

Book 3, Chapter 18 Quotes

☞ At the opening of these assemblies, of which the only purpose is the maintenance of the social treaty, two motions should be put, motions which may never be annulled and which must be voted separately:

The first: "Does it please the sovereign to maintain the present form of government?"

The second: "Does it please the people to leave the administration to those at present charged with it?"

Related Characters: Jean-Jacques Rousseau (speaker)

Related Themes:  

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Explanation and Analysis

Book 4, Chapter 1 Quotes

☞ In the end, when the state, on the brink of ruin, can maintain itself only in an empty and illusory form, when the social bond is broken in every heart, when the meanest interest impudently flaunts the sacred name of the public good, then the general will is silenced: everyone, animated by secret motives, ceases to speak as a citizen any more than as if the state had never existed; and the people enacts in the guise of laws iniquitous decrees which have private interests as their only end.

Does it follow from this that the general will is annihilated or corrupted? No, that is always unchanging, incorruptible and pure, but it is subordinated to other wills which prevail over it. Each man, in detaching his interest from the common interest, sees clearly that he cannot separate it entirely, but his share of the public evil seems to him to be nothing compared to the exclusive good he seeks to make his own.

Related Characters: Jean-Jacques Rousseau (speaker)

Related Themes:  

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Explanation and Analysis

Just because its institutions are legitimate and technically give citizens a voice in politics, a state will not necessarily survive. In fact, Rousseau argues, all states come to “the brink of ruin” sooner or later, in a variety of ways and because of a variety of factors (such as corrupt government officials trying to usurp the sovereign’s power and citizens losing faith and interest in the political process). Here, Rousseau depicts a nation “on the brink of ruin” and emphasizes that its failure is both defined by and visible through citizens’ decision to pursue their own private interests over the general will. Indeed, while it appears to function through legitimate institutions, this “empty and illusory” nation is actually using these institutions against their purpose, which is to enact the general will. In this sense, Rousseau emphasizes the fine, sometimes indiscernible line between a legitimate state that follows the general will and a once-legitimate state that has ceased doing so.

However, Rousseau insists, the general will is always a real, concrete thing that exists independently of whether people think about or pay attention to it. Just as everyone truly is capable of choosing what is best for them, even if they often fail to make the right choices, society’s general will still exists and *can* be fulfilled. Accordingly, society does not fail when the general will is “corrupted,” because this is impossible, but rather when the citizenry willingly turns its back on this general will.

Book 4, Chapter 7 Quotes

☛ It is useless to separate the morals of a nation from the objects of its esteem; for both spring from the same principle and both necessarily merge together. Among all the peoples of the world, it is not nature but opinion which governs the choice of their pleasures. Reform the opinions of men, and their morals will be purified of themselves. Men always love what is good or what they think is good, but it is in their judgement that they err; hence it is their judgement that has to be regulated. To judge morals is to judge what is honoured; to judge what is honoured, is to look to opinion as law.

Related Characters: Jean-Jacques Rousseau (speaker)

Related Themes: 

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Explanation and Analysis

In Book IV, Rousseau spends several chapters exploring the lessons that contemporary societies can learn from the Roman Republic. Beyond its *comitia*, which guaranteed popular sovereignty by letting all citizens vote, and its dictators, who maintained peace in times of national emergency, the Roman censors are also a source of inspiration for Rousseau. The censor both took the census (hence the office’s name) and used the data they collected to assess and try to improve the populace’s moral values (hence the derived word “censorship”). While modern-day republics are generally averse to censorship, Rousseau considered it an essential tool for the creation of a sustainable and virtuous moral culture—or what he describes as “civil religion” in the next chapter. This culture is essential, according to Rousseau, because it determines whether people take their civic duties as citizens seriously and actually attempt to follow the general will when they participate in lawmaking.

Indeed, Rousseau thinks that this moral culture is so closely tied to the laws a nation produces that these two factors cannot be cleanly separated: namely, laws are expressions of a community’s collective moral judgments about what is right and wrong, desirable and undesirable, and just and unjust. Accordingly, a nation’s moral beliefs inevitably find their way into its laws, and so it is absolutely essential that the state promote correct virtues. Of course, contemporary political theorists tend to oppose censorship because it can be impossible to agree on what virtues are correct and incorrect in the first place. But for Rousseau, in the context of politics, some virtues are obvious: a sense of civic duty, a commitment to the proper balance of powers, and a tolerance for difference are all paramount.

Book 4, Chapter 8 Quotes

☛ Christianity preaches only servitude and submission. Its spirit is too favourable to tyranny for tyranny not to take advantage of it.

Related Characters: Jean-Jacques Rousseau (speaker)

Related Themes: 

Page Number: 184

Explanation and Analysis

Having established that a nation's moral culture is profoundly important to its political longevity and capacity to pass just laws, Rousseau spends his last substantial chapter exploring the different systems of moral values that have influenced politics in the recent European past and that could be seen as the moral foundation of a future republic. While Christianity was dominant in Europe at the time, Rousseau considered it horribly unsuitable for politics. In some nations, the boundary between the state and the church was unclear, which made it difficult for policies to be enacted and led to corruption. (Plus, these states were not yet republics, so it would not have necessarily been better if they *had* successfully implemented their policies.) And yet these nations, according to Rousseau, subscribed to a corrupted form of Christianity that had lost track of the religion's original beliefs.

Rousseau argues that "true" Christian doctrine implores its followers to remain morally pure by committing no evil act, harboring no resentment, and waiting for deliverance in the afterlife. As a political doctrine, this is disastrous because it tells people *not* to act—whether to fight for their rights, protect their neighbors, or implement more just policies. Therefore, Rousseau concludes, a truly legitimate government will need to replace the Christian religion with a different, politically useful system of beliefs that actually encourages citizens to take responsibility for their republic. Unsurprisingly, this argument ignited a storm of controversy in 18th-century Europe: it got Rousseau kicked out of both France and Geneva, and it turned many former friends and supporters against him. However, in making this argument, Rousseau was ahead of his time: now, the separation of church and state is legally mandated in many republics, and civic education is considered just as important as religion in many nations.

●● The dogmas of the civil religion must be simple and few in number, expressed precisely and without explanations or commentaries. The existence of an omnipotent, intelligent, benevolent divinity that foresees and provides; the life to come; the happiness of the just; the punishment of sinners; the sanctity of the social contract and the law—these are the positive dogmas. As for the negative dogmas, I would limit them to a single one: no intolerance. Intolerance is something which belongs to the religions we have rejected.

Related Characters: Jean-Jacques Rousseau (speaker)

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Explanation and Analysis

At the end of his final substantial chapter, Rousseau reveals his dream of a "civil religion" that a legitimate republic could teach its people in place of (or alongside) traditional religions like Christianity. The purpose of this "civil religion" is to instill socially beneficial values into citizens, so that they cherish the nation they have formed and dedicate themselves to maintaining and improving it.

Rousseau's insistence on mandating certain values—and his rather extreme belief that people who reject the civil religion can be executed or thrown out of society—helps explain why many critics find his political theory authoritarian. While (most) contemporary republics do not force people to pledge their allegiance to specific beliefs, however, the "dogmas" Rousseau offers are nevertheless influential—or even essential—to the political cultures of these same republics. Officials swear on holy books and promise to uphold "the sanctity of the social contract and the law" when they take office in many nations. What's more, the idea of "no intolerance," while famously paradoxically intolerant in itself, is an essential principle of contemporary liberal democratic nations, because a society that tolerates everything will be unable to defend itself against those who tolerate nothing.



SUMMARY AND ANALYSIS

The color-coded icons under each analysis entry make it easy to track where the themes occur most prominently throughout the work. Each icon corresponds to one of the themes explained in the Themes section of this LitChart.

FOREWORD

The title page to *The Social Contract, or, Principles of Political Right* is signed “J.-J. Rousseau, Citizen of Geneva.” Then, it includes an epigraph from the Aeneid, “foderis aequas / Dicanus leges,” which in English translates roughly to “Let us set equal terms for the truce.”

In his brief Foreword, Rousseau explains that *The Social Contract* was originally part of a larger project that he has “long since abandoned” and mostly destroyed. Of that project’s parts, this text is the “most considerable” and “least unworthy of being offered to the public.”

By signing his work “Citizen of Geneva,” Rousseau not only shows how citizenship can be a politically salient identity, but also foreshadows his praise for Geneva’s political structure and implies that he is specifically writing in his capacity as a citizen and that his analysis of politics is part of his civic duty. Rousseau’s other epigraph foreshadows the conditions he considers necessary for a legitimate society to form: people must agree to a social contract that creates peace and rule of law—or a “truce”—and establishes them all as members of society on “equal terms.”



While Rousseau’s humility is designed to throw the reader off guard, by noting his abandoned plan to undertake a systematic, wide-ranging project, he also reveals his great ambition as a philosopher and his belief that different fields of philosophy are fundamentally interconnected. By emphasizing the “public” nature of his audience, Rousseau again suggests that the publication of this Book 1s a political act with political consequences, which reflects his deeper underlying belief that moral and philosophical values are the cornerstone of a society and the key to creating healthy political communities.



BOOK 1, INTRODUCTION

Rousseau declares that this Book 1s an attempt to determine if governance can have “any legitimate and sure principle” under it, considering “men as they are and laws as they might be.” In his inquiry, he wants to combine considerations of what is right and what is in people’s best interests—or, put differently, justice and utility. Rousseau admits that he is no “prince” or “legislator,” but rather merely a “citizen” trying to fulfill his responsibility to learn about “public affairs” and make informed voting decisions in his beloved country, Geneva.

Rousseau emphasizes that his project is theoretical, not empirical, in nature: he wants to know what would make a state legitimate, not if there is any legitimate state in the real world. In fact, he has already done the empirical part—although only speculatively—in an earlier work, the Discourse on Inequality. He also points out the inherent conflict between justice, which requires protecting citizens’ rights and therefore limiting the state’s power, and utility or the public interest, which requires the state to be able to sometimes unfairly suspend people’s rights. The question of how to strike this balance is one of the great unresolved problems in Rousseau’s thought: some commentators see his dedication to the common good as totalitarian, while others think his insistence on direct citizen participation in politics would lead to anarchy. Again, he argues that his writing is itself part of his political duty as a citizen. This reflects the sense in which his understanding of politics revolves around the idea that public deliberation and discussion by engaged citizens are the best ways to improve a state and its laws.



BOOK 1, CHAPTER 1: THE SUBJECT OF BOOK 1

“Man was born free,” Rousseau begins, “and he is everywhere in chains.” But the powerful are “greater slaves” than those over whom they rule. Rousseau does not know why this condition came about, but he thinks he can figure out how to make it “legitimate.”

Rousseau’s famous opening line points out the wide gap between the radical potential of a legitimately organized society, which is capable of helping people realize their fullest human potential, and the reality that societies mostly serve to further existing concentrations of wealth, property, and power by denying rights and self-determination to the majority.



In theory, Rousseau continues, people should simply seek freedom by resisting anyone who rules over them—but society, which is the “basis for all other rights,” requires that people agree to let others rule over them. His goal in this Book 1s to figure out what people must actually agree to.

There appears to be a contradiction between people’s inherent, self-interested desire for freedom and their willingness to live in a society that restricts their freedom. However, Rousseau is about to explain why society can actually increase people’s freedom.



BOOK 1, CHAPTER 2: THE FIRST SOCIETIES

Rousseau contends that “the oldest of all societies [...] is that of the family,” but once children grow up, they become naturally independent of parents. If they choose to “remain united” with their parents, it is “only by agreement,” and not by nature. This is because self-preservation is humans’ deepest drive, and people know what is best for themselves once they get to “the age of reason.” In society, people can choose to “surrender their freedom” when it ultimately benefits them.

By using the family and education as an analogy for society, Rousseau implies that the workings of human freedom are universal across different contexts: people are only morally bound to others if they choose to be, although in practice they can be forced into social arrangements like slavery against their will. Once people grow up, he implies, they are free to take or leave society, just as they are free to disown their families. But most people don’t do this, which shows that they actually stand to gain from society, rather than just giving up freedom to it.



Some thinkers, like Grotius and Hobbes, wrongly think that the powerful govern for the own benefit, ruling over the masses without their consent like a shepherd rules over their animals. Indeed, other thinkers take this further, arguing that rulers are inherently superior to the people they rule—the philosopher Aristotle even thinks some people are “born for slavery and others [are] born to be masters.” But Rousseau thinks that slavery is unnatural, and people only accept it because they are forced to. Rousseau jokes that, if rulers really deserved their power by nature, he might even be “the legitimate king of the human race,” since he is descended from “the King Adam” and “the Emperor Noah.” Rather, the Biblical “Adam was the king of the world” simply because nobody else was around, and he had no rivals for power.

Again, Rousseau’s argument relies on the distinction between how societies actually work, in which the powerful do oppress the weak, and the way societies should work, in which nobody would participate except by their own free consent. Rousseau indirectly acknowledges his debt to Hobbes’s work, which first introduced the idea that people would agree on a social contract in order to avoid the dangers of the state of nature. However, Hobbes thought that people gave away all their rights and freedoms to the state, but Rousseau thinks doing that would be fundamentally arbitrary, since stronger people (like the “king of the human race”) have no real basis for claiming their power. Plus, Hobbes’s idea would violate Rousseau’s basic moral principle that people can never give up their own freedom.



BOOK 1, CHAPTER 3: THE RIGHT OF THE STRONGEST

Rousseau states that there is no “right of the strongest.” Strength itself only forces obedience through fear, but it cannot possibly “produce morality.” If “the strongest [were] always right,” the concept of “rights” would be meaningless: anyone who says it is right to “obey those in power” really means that people should “yield to force,” but not that the powerful have some inherent moral *right* to be obeyed. Similarly, an armed thief who robs Rousseau’s purse does not have a “right” to keep it just because he has the power of a gun. In summary, Rousseau concludes, “might does not make right,” and people should only obey “legitimate powers.”

Because morality is only created when people agree to follow a certain set of rules or laws, it is impossible for mere force to create an ethical state of affairs, or a legitimate form of political community. Rousseau is not denying the existence of physical coercion, but merely explaining that it has nothing to do with the nation he is imagining and distancing himself from philosophers who reduce all morality to physical force. However, readers might ask if the community Rousseau describes truly avoids coercion—for instance, can a majority legitimately impose its will on a minority?



BOOK 1, CHAPTER 4: SLAVERY

Because “might does not make right,” Rousseau continues, “all legitimate authority among men must be based on covenants.” While Grotius might be right that people sometimes accept slavery in exchange for having their basic needs met, this does not apply to a people and their king: just as parents cannot control their children once they have grown up, a government cannot control people unless they actively consent to it. But people cannot willingly give up their freedom, which is their “very nature” and the basis of all morality. So contracts based on “absolute dominion for one party and absolute obedience for the other” are not legitimate because they are not *reciprocal*.

Grotius also considers slavery legitimate because the winner of a war has a “right to kill the vanquished,” but Rousseau disagrees. War is about “conflicts over things,” not “mere personal relations.” But there can be no property in the “state of nature,” before societies exist, so there also cannot be war. In fact, war is ultimately not “between men, but between states.” (This is why foreigners who attack a country are criminals, not soldiers, unless they have the support of their own nation in doing so.)

Because war is fought between countries, not individuals, it is wrong for military leaders to kill civilians when waging war, and as soon as a war is won, the victor no longer has a right to kill its former soldiers, who stop representing their country and “become simply men once more.” Accordingly, victors also have no right to *enslave* “the vanquished.” If they do so, victors are maintaining the state of war, rather than acting as legitimate rulers, which means they are not recognizing any “rights” at all. So Rousseau concludes that there is no “‘right’ of slavery,” and in fact “‘slavery’ and ‘right’ are contradictory, they cancel each other out.”

The importance of covenants, or contractual agreements, comes from the inherent equality that all people share because of their fundamental freedom. Because Rousseau sees freedom and self-preservation as the two essential principles of human nature, he thinks that no legitimate state can defy them. There is a difference between accepting servitude to meet one’s needs and promising “absolute obedience”: the first is an exchange of goods for services, and even if it is deeply unequal, it is still based on someone’s free agreement to accept certain conditions, when they could have refused to accept those conditions. On the other hand, “absolute dominion [...] and absolute obedience” are not valid terms for a contract because they require people to give away the very freedom that allows them to make contracts in the first place. This means that, for Rousseau, Hobbes’s version of the social contract is inherently illegitimate.



Rousseau points out that people have different kinds of rights under different circumstances: there are no rights at all until some moral agreement guarantees them. A war is about competing claims to a certain resource or territory, which means that when a war is over, the only rights of the vanquished that can be violated are the ostensible rights to that resource or territory. While Rousseau’s argument is complex, it is based on straightforward intuitions about when different concepts of law do and don’t apply. There is no “war” if two individuals fight because of a personal dispute, and no state will blame another state for the actions of its rogue citizens. States rightly recognize these as individual matters, in which people act as private citizens rather than representatives of the state—but war is precisely the opposite, which means that an opposing state does not actually have rights over someone’s life. War allows both sides to kill in pursuit of their objectives, but once those objectives are achieved, the war is over, and they no longer have a right to kill.



Rousseau carefully notes that people are not acting in the same capacity when they fight for the state as when they make private decisions: they shift status, from government functionaries to “simply men.” This ability to transform one’s role based on the context becomes crucial to Rousseau’s theory of governance, as it requires citizens to balance different kinds of interests (or different wills), including their own personal desires and the common good of their political community as a whole.



BOOK 1, CHAPTER 5: THAT WE MUST ALWAYS GO BACK TO AN ORIGINAL COVENANT

Rousseau notes that, even if slavery were legitimate, it is not a reasonable analogy to governance, because the people “have a common good” and constitute “a **body politic**.” Someone who “enslave[s] half the world” does not create a nation by doing so. In fact, by recognizing that “a people” can “give itself to a king,” Grotius also recognizes that “a people is a *people*” because of some more fundamental reason, which must be “the real foundation of society.” This foundation must be some “earlier agreement.” (This agreement also explains why people accept the rule of the majority.)

To contemporary readers, it is obvious that the concept of the nation implies that people are unified in some fundamental way, which is different from a group that is oppressed by the same king. The difference is, of course, whether people have chosen to work together or not—or, in other words, whether they have a say in how they are governed. In fact, this all seems obvious today precisely because of the influence of arguments like the one Rousseau is making here—in Rousseau’s own time, it may not have been at all clear that “a people” could act as a collective. Rousseau does not say that all kings are legitimate, but rather suggests that they can only be legitimate if they are chosen by the people themselves. Therefore, the king is only a deputy for the people, who hold the real, fundamental authority in their society.



BOOK 1, CHAPTER 6: THE SOCIAL PACT

Rousseau declares that, at a certain point in human development, the “state of nature” becomes harder to maintain than to transform, and humans decide to work together “by [uniting their separate powers in a combination strong enough to overcome any resistance](#).” All people must actively choose to enter this union, without losing their own power or freedom or putting themselves in danger. So this union must “[defend the person and goods of each member with the collective force of all](#),” but also ensure that each of these members “remains as free as before.” In other words, people trade “natural freedom” for “civil freedom.” Everyone gives up “all [their] rights to the whole community,” entrusting the “general will” with their own interests and becoming “an indivisible part” of the political community.

By explaining the formation of society through a social contract, Rousseau resolves the paradox he posed at the beginning of Book 1: first, how can a state be legitimate if people are “everywhere in chains,” and secondly, if people naturally and inevitably seek to advance their own well-being and multiply their own freedom, how can they agree to be ruled by a society that limits what they can do? Under the social contract, a state is legitimate because people consent to give it authority, and while this state limits some kinds of freedom—namely the freedom to injure other people and take their things—it gives people the far more valuable freedom of knowing that they will not be injured or have their things taken away. In this sense, by agreeing to put limits on themselves, people actually gain far more than they lose: they can focus on intellectual, emotional, and moral pursuits rather than simply staying alive. Notably, Rousseau argues that nature gives way to society during periods of pressure and upheaval, when people are no longer able to survive without banding together. They form a kind of composite whole when they transfer their “rights to the whole community” and start to exercise their will to self-preservation together as a collective, rather than separately as individuals.



Rousseau emphasizes that there are various, slightly different terms for this community and its members: depending on the context, it can be called a **body politic**, nation, or republic (which are synonyms); a state (as a “passive” institution that is governed by laws); a sovereign (as a body that “active[ly]” makes laws); or a power (when compared with other nations). Its members are “a people” made of individual “citizens” who are also “subjects” to their collective sovereign power.

In this passage, Rousseau clarifies a lot of very important and delicate terminology very quickly. The terms “nation,” “republic,” and “body politic” all refer to the same thing, even though they have different connotations and origins. The most important distinction is between the sovereign, which is the core of the nation’s power and can essentially be pictured as a legislature, and the state, which is like the sum of people, things, property, institutions, and territory that makes up a country. In short, the sovereign creates laws that apply to the state. Both these words are very different from “government,” a term that Rousseau uses in an entirely different sense. (He uses “government” to refer to the administration or executive branch, not the state as a whole.) Finally, members of the state also take on a kind of dual personality: they are both individuals with personal rights who have to follow the law (or “subjects” of the state) and members of “the people” and the people’s government who set the law (they are “citizens” of the sovereign). Having explained how people are now capable of occupying all of these different categories at once—individual and collective, lawmaker and law-follower—Rousseau is now able to more coherently show what it means for a community to govern itself.



BOOK 1, CHAPTER 7: THE SOVEREIGN

Rousseau explains that the social contract creates “a reciprocal commitment between society and the individual.” This means that a member of society is two things at the same time: a citizen “of the sovereign body” who is partially responsible for making laws and “a member of the state” who is a subject to the sovereign’s laws. Because the sovereign only makes laws, it is not fundamentally subject to any laws—including “the social contract itself,” which is not a law but an agreement. Of course, the sovereign also cannot violate the social contract, because the social contract “has given it existence” in the first place. Consequently, injuring any citizen is actually “attacking the whole” **body politic**, and so it is both citizens’ “duty” and in their “self-interest” to help the attacked member of society.

Here, Rousseau explicitly points out how joining society gives people a kind of split self, and therefore a split commitment between their own interests and the interests of their whole society. If this is confusing, self-control is a good analogy: someone can both control and be controlled by themselves. Society works in the same way, but Rousseau calls the controlling part the “sovereign” (and its members “citizens”) and the controlled part the “state” (and its members “subjects”). When society as a whole wants to control itself in order to advance itself, it passes a law as the sovereign, and then is charged with following that law as the state. But because laws must apply to the whole community, people must put the interests of society as a whole first when they choose those laws (although their personal interests do make up a small part of society’s overall interests).



While the sovereign is just made up of individuals and so cannot legitimately injure them, individuals often renege on their commitment to the common good when their private desires conflict with the public good. For instance, people might see having to pay taxes as a form of injury and “seek to enjoy the rights of a citizen without doing the duties of a subject.” This is why laws can force individuals to hold up their side of the bargain and “be forced to be free.” Society would not work without this process.

People’s dual character as citizens and subjects also explains why they can be forced to follow the law—for instance, by a police force and legal system—even when they do not necessarily want to in the moment. In fact, they have already agreed to the law by participating in the sovereign, so the force that makes them follow the law is promoting their freedom by helping them fulfill their promise as a member of the collective. However, readers might disagree with Rousseau and ask whether people might legitimately be able to disagree with the community’s decision and protest it by refusing to follow the general will. Rousseau’s answer might not be satisfying—he would likely say that it depends who is really doing what is in the best interests of the community as a whole, and that if the majority is not doing so, then it is not a legitimate sovereign.



BOOK 1, CHAPTER 8: CIVIL SOCIETY

When they stop living in “the state of nature” and start living in society, people change: they become moral beings and have to start acting based on principles and reason rather than instinct and desire. In turn, society “develop[s]” and “elevate[s]” people’s rationality. Ultimately, by joining society through the social contract, people lose “natural liberty and the absolute right to anything that tempts [them] and that [they] can take,” but gain “civil liberty and the legal right of property.” “Natural liberty[’s]” limit is “physical power,” while “civil liberty[’s]” is “the general will” itself. Society turns mere possession into legal property, and it also makes people truly, morally free by letting them follow laws of their own making.

Rousseau clarifies that, beyond simply guaranteeing people material freedom and safety to a greater extent than the state of nature can, society also gives people the capacity to pursue greater projects and higher forms of existence. This argument is indebted to a long tradition of philosophers who consider it obvious that rationality is the greatest human faculty and moral education and philosophy are the highest human pursuits, but readers need not accept this entirely in order to agree with Rousseau on the more basic principle that people can live more fulfilling lives when they are not constantly fighting for survival. In addition to people’s ability to help make communal decisions in a society, this access to higher kinds of freedom is another reason that people can submit to a society’s rule while gaining freedom rather than losing it.



BOOK 1, CHAPTER 9: OF PROPERTY

People join society “just as [they are],” bringing whatever they possess and turning it into private property. Public property, Rousseau notes, belongs to everyone. But private possessions belong to individuals and public possessions belong to a society simply by virtue of “the ‘right of the first occupant,’” which only becomes enforceable in society, as possession turns into property. This does not mean that the first person to step on or conquer a piece of land rightly owns it, but rather that the land is theirs if they are really the “first occupant,” they don’t take “more [land] than [they] need[] for subsistence,” and they “actually work[] and cultivat[e] the soil.”

If they already possess land, people bring this land under the control of the sovereign when they join a society. This guarantees it to them as private property, but it also incorporates it into the public territory of the nation as a whole. Alternatively, people can join together before possessing territory, and then work together to legitimately occupy and share or divide up a territory. In either case, while people have individual rights over their private property, the sovereign’s communal right to that property always comes first. To close Book 1, Rousseau notes that society does not “destroy[] natural equality,” but rather creates “a moral and lawful equality” in its place. In fact, while people may be naturally “unequal in strength and intelligence,” society makes them socially “equal by covenant and by right.”

Although this chapter is tangential to the rest of Rousseau’s argument, it is important for two reasons: first, it directly responds to John Locke’s social contract theory, and secondly, it refers back to Rousseau’s Discourse on Inequality. According to Locke, property is a natural human right, given by God, but Rousseau denies that rights exist outside the context of a human society that agrees on them. (Locke’s position is based on Christianity, which Rousseau considers a poor basis for governance, and it also undercuts the importance of covenants, which Rousseau thinks are the only way to truly establish moral rules.) In the Discourse on Inequality, Rousseau argued that society and inequality were first institutionalized when people claimed private property. Having shown how property can be the basis for an illegitimate and oppressive form of government in that previous work, Rousseau wants to explain here how property should work under a legitimate state.



Although this may be difficult to imagine in the 21st century, when all inhabited land on Earth is claimed by a particular nation, when Rousseau talks about land joining the sovereign’s control, he means this literally: imagine how a city-state’s territory grows as it convinces surrounding landowners to join its community. Like with their individual rights, people have legitimate but not inviolable rights to their land: the sovereign can redistribute it when it is necessary for the national interest. (Rousseau does not explicitly say whether this includes simply making the distribution of power more equal, but he emphasizes that the equal distribution of land tends to create more effective states and freer societies.) This is just like how society can force individuals to threaten their safety for the sake of the community (as in a war), but it is also why some critics have accused Rousseau of giving the state a totalitarian level of power over its subjects.



BOOK 2, CHAPTER 1: THAT SOVEREIGNTY IS INALIENABLE

In a society, Rousseau begins, “the general will alone” can allocate the state’s resources toward “the common good” (which is simply whatever best serves everyone’s common interests). He notes that sovereignty simply is “the exercise of the general will,” and the sovereign is “a collective being” made up of everyone in a society. Therefore, no private will ever fully matches up with the general will, although private individuals can be charged with *enacting* this general will. But those private individuals must truly fulfill the general will in order to be legitimate leaders. This means that any society based on pure obedience to leaders is not a true society at all.

The “general will” is a complicated and difficult-to-define concept that essentially means the sovereign’s capacity to determine and do whatever is best for the public. Rousseau emphasizes that this will actually and concretely exists, just as much as any individual’s will does, precisely because individuals create “a collective being” when they join together to form a nation (which is similar to how people can form entities like a sports team, household, or corporation). Ultimately, his aim in this section is to emphasize that, because the general will has to be society’s prime guiding force and nothing can voice this general will except the entire nation assembled as a whole, representative democracy can never suffice in a legitimate state, and no member of the sovereign can legitimately have more power than any other member.



BOOK 2, CHAPTER 2: THAT SOVEREIGNTY IS INDIVISIBLE

Only the sovereign’s general will can create valid laws, so any will that is divided, or only the will “of a part” of the people, is not truly sovereign. It is true that many governments are divided among different branches, agencies, and jurisdictions, but this is a division of the rights and powers *to implement the sovereign will*, and not of sovereignty itself. Unfortunately, many legal thinkers—like Grotius and his translator, who were both power-hungry and dedicated their works to the kings they were flattering—misunderstand what sovereignty really is, so they get this confused.

Rousseau applies the same principle as the previous section: there is no way to deduce the general will without including the interests of all the people. Notably, this does not mean that Rousseau believes decisions have to be unanimous: as he later argues, people can be wrong about what their own will demands, and so “a part” of the people can represent the will of the whole people (and vice versa). What is important is not who votes for a decision, but whether that decision serves everyone or just a certain part of society. Rousseau also differentiates divided agencies in the state from political divisions within the sovereign—or, in modern parlance, political parties. He considers the former necessary to implement the laws, but the latter dangerous because political parties are likely to lead to part of the population’s interests getting discounted (and the will of the sovereign not being truly general).



BOOK 2, CHAPTER 3: WHETHER THE GENERAL WILL CAN ERR

While “the general will is always rightful and always tends to the public good,” this does not mean that the people always know what is in their best interests. Rousseau distinguishes “the general will,” which is about what is in people’s common interest, with “the will of all,” which is “the sum of individual desires.” However, the “sum” inevitably includes “pluses and minuses which cancel each other out,” and a truly functioning state will examine these “pluses and minuses” and make compromises to even them out. But worse states split into factions or parties that fight for their private interests, and in a truly dysfunctional state, a majority simply “outweigh[s] the rest” and pursues its private agenda at the expense of the general will. Rousseau concludes that “every citizen should make up [their] own mind” and political parties should either not exist or be as small (and numerous) as possible.

By analyzing how political deliberations can derive a sense of the general will from the mere “sum of individual desires,” Rousseau provides a roadmap for both how individual citizens can figure out what general interest they ought to promote and how a deliberative body, as a whole, will tend to work towards the general will by eliminating the “pluses and minuses which cancel each other out.” However, this also requires a prior commitment by the deliberative body to seek the common good, rather than split up power through political parties—this is another reason that Rousseau would be very dissatisfied with modern political culture, especially in countries like the United States, where only two parties hold significant power.



BOOK 2, CHAPTER 4: THE LIMITS OF SOVEREIGN POWER

In order to fulfill the general will and preserve itself, the sovereign needs some system to organize and control its different parts and resources. But it cannot do anything it wants with citizens, since they retain their own individual rights, and so they cannot be forced to do anything that “is not necessary to the community.” By its nature, the sovereign works for everyone because it includes everyone—but on the flipside, this means it *cannot* reasonably weigh private interests against the public interest in situations not covered by existing law.

By emphasizing why the sovereign cannot trample on citizens’ rights, Rousseau reaffirms the principle that individuals are actually more free in a society than they would be on their own. He also points out an inherent paradox in the nature of the sovereign: while its only purpose is to follow the general will, it can only fulfill this will by taking particular acts that would force it to break its vow of impartiality. This is why Rousseau believes a separate executive branch (or government) is necessary, as he will soon explain.



Rousseau reiterates that all citizens are fundamentally equal, because “they all pledge themselves [to the sovereign] under the same conditions and must all enjoy the same rights.” Sovereignty, then, “is not a covenant between a superior and inferior,” but rather one “of the **body** with each of its members.” The sovereign power cannot exceed the limits of these covenants by violating citizens’ rights or arbitrarily burdening them with unequal obligations. As a result, people do not lose anything by joining society; it actually *improves* their situation by giving them security, freedom, and inviolable rights, which are preferable to living under a kind of eternal war in the state of nature.

Because all citizens owe their freedom to the sovereign and the sovereign owes its existence to the people that make it up, the sovereign cannot violate citizen’s rights, since that would mean undermining its own freedom. Such a violation would therefore be illogical for the same reason that people cannot sign up to be slaves: it is incoherent for to ever willingly reduce their own freedom. After all, this inherent freedom is the reason people are equal under the sovereign in the first place, because it is the common condition for their participation in society.



BOOK 2, CHAPTER 5: THE RIGHT OF LIFE AND DEATH

While people have “no right whatever to take their own lives,” Rousseau notes, they do have “the right to risk [their] own [lives] in order to preserve [them].” Since the state preserves citizens’ lives, people can be forced to risk—or lose—their lives for the state. So citizens can be sent to war to preserve the state, and the death penalty is valid because everyone agrees to exchange protection against being murdered for an agreement “to die if one becomes a murderer.” Lawbreakers violate the covenant of their citizenship and effectively declare war on the state, becoming its “enemy.” Therefore, criminals can be legitimately exiled or killed, but these punishments are a last resort, acceptable only when criminals “cannot be made good for something.” A government that punishes too much likely has unfair laws, and one that pardons too many criminals is unjustly failing to enforce its laws.

Rousseau seems to contradict his previous chapter when he argues that the sovereign can send people to death, but the crucial difference is that in the last chapter he was talking about arbitrary or unequal uses of force—for instance, it would be illegitimate for the sovereign to send certain people rather than others to war because of some personal conflict among citizens. Here, Rousseau is talking about the sovereign passing laws that would apply to everyone, which means that everyone is agreeing to put themselves on the line for the sake of the community. While it might seem that this constitutes undermining one’s own freedom, which Rousseau has argued is incoherent and impossible for human beings, it does not, because people’s sacrifice actually serves the greater cause of expanding their overall freedom by preserving the state. While Rousseau does not specify when he thinks it is legitimate for the state to go to war, it is clear that he would accept it only in a very narrow range of cases: namely, for self-defense. If the war is not necessary for the survival of the state (like a war of conquest), it is not necessary “to preserve” citizens’ lives, and so it is not worth risking those same lives over. Similarly, punishment is only justified when absolutely necessary, and states that abuse their power to punish undermine their own legitimacy. So Rousseau is not arguing that states should use the death penalty, but rather that it can be a legitimate tool, if and when the people agree to it.



BOOK 2, CHAPTER 6: ON LAW

Rousseau explains that the social contract creates the **body politic**, but the nation must pass laws to preserve itself. While true justice and goodness come from God through the medium of human reason, in a state of nature, some people follow these natural laws and others ignore and break them without consequences. Therefore, people need society to systematize and enforce these laws.

Rousseau emphasizes that the nation’s original decision to establish itself through the social contract does not automatically mean that it will endure or that its citizens will actually treat each other as equals; this is the purpose of laws, which are essentially the sovereign’s collective commitments to itself. By claiming that “God” creates true virtue, Rousseau cites Locke’s influential theory of natural rights, but he also points out the limits of religion’s involvement in politics: notably, Rousseau argues that human reason must reign supreme in politics, as this reason—more than any doctrine or institution—is God’s legacy for humankind. Therefore, he offers Christians a way to believe in secular, popular republics without contradicting their religious beliefs.



Rousseau asks what laws *are* and returns to the idea that “the general will cannot relate to any particular object” without ceasing to be general. So, to be a law, a rule must be made *by* and *for* “the people as a whole [...] without any division whatsoever.” Therefore, “the law considers all subjects collectively and all actions in the abstract,” rather than naming particular people. It can create “privileges” but not say who gets them, or create a monarchy but not actually “choose a royal family.” Because everyone collectively gives the law to themselves, nobody is “above the law,” the law is never unjust, and the law does not take away people’s freedom, but is rather a way of realizing it. But any *particular* action for or against a *particular* individual or object is “not a law,” but “an act of government.”

Rousseau defines “any state which is ruled by law” in this way to be a republic and argues that “all legitimate government is ‘republican.’” In other words, “laws are [...] the conditions on which civil society exists.” But Rousseau asks *how* the **body politic** makes these laws, for unfortunately it “seldom knows what is good for it,” even though it “always wills what is good.” In fact, it needs to learn to use reason “to recognize what it desires,” which is why it needs “a lawgiver.”

Laws are the nation’s way of concretizing its commitment to the collective good, or the general will: by passing a law, the community declares that it has chosen a certain principle in accord with the general will and is willing to hold itself to this principle. In this sense, laws are also expressions of a community’s moral beliefs. Since moral principles are based in human reason and free choice, the only body that can adopt laws is the collective of citizens who freely determine their own future: the sovereign. When Rousseau says that “the general will cannot relate to any particular object,” this is what he means: it has to take the form of a principle or abstract law, because it cannot put the interests of any citizen above any other. In short, this means that the sovereign’s job is to make laws, but it cannot apply these laws to specific situations (which is the government’s job).



Rousseau reformulates the answer to his original question of what the “legitimate and sure principle” of a state can be: a state is legitimate only if it is a republic (or what is often called a democracy in the 21st century—although Rousseau later uses the word “democracy” in a different and incompatible sense). By mentioning the body politic’s difficulty understanding its own general will, however, Rousseau points out a potentially enormous problem with his theory: if the sovereign’s decisions do not actually follow the general will, is the sovereign any good? And even if this sovereign becomes illegitimate when it ceases following the general will, what mechanisms can and should exist in a society to keep a sovereign legitimate and reliably convince the people to abandon their sovereign when it becomes illegitimate? He ultimately argues that the state needs a strong moral culture to keep itself on track, but this answer may not satisfy all readers and critics.



BOOK 2, CHAPTER 7: THE LAWGIVER

Rousseau argues that only Gods could give people the laws that are best for them without being persuaded by the same “passions” that lead them to stray. It is therefore very rare to find competent lawgivers who are capable of “transform[ing] each individual [...] into a part of a much greater whole.” These “founder[s] of nations” have to break down people’s independence in order to give them the “moral and communal existence” of society—so the weaker people are and the more they stand to gain from society, the better society is likely to be. The lawgiver is “special and superior” to the sovereign and the government, and must not be involved in legislation or the execution of laws, which must also be separate from one another. This is why many early city-states had foreigners make their laws.

Rousseau’s concept of the “lawgiver” is essentially the same as what contemporary people call a “founder.” Basically, people do not simply make a social contract and form a state with strangers, based on blind trust. Rather, they need to actually organize themselves into a community before they make that community political. The lawgiver’s job is to help people learn to understand themselves as a community, so that they can eventually turn their community into a nation by making a collective agreement (or social contract). But if the founder sets up the nation and is “special and superior” to it, why would this person be barred from serving in the sovereign or the government? Rousseau makes it clear that, while the founder organizes the people and helps them form a collective identity, the people themselves create the social contract, which creates the state and gives it legitimacy. Therefore, the founder is not involved in the process of actually governing; they only bring people together so that the people may govern. The founder is “special and superior” in the sense that their role is about making a state possible in the first place, but not in the sense that they have any “superior” power over the state itself. After all, if founders take too prominent a role in the state itself, they can create conflicts of interest or raise suspicion among the people. That said, throughout history, founders have quite often transitioned into heads of state, which again highlights that Rousseau’s model is theoretical rather than historical.



In fact, the lawgiver has both “a task which is beyond human powers and a non-existent authority for its execution.” And they must also speak to the people in terms they can understand, for it takes good government to create “the social spirit” that makes people understand, appreciate, and perpetuate good government. This is why lawgivers have “appeal[ed] to divine intervention” throughout history to justify why people should join and follow the nation. These difficulties require lawgivers to have a “great soul,” which is “the true miracle” that allows them to create lasting nations. (Although this does not mean that “religion and politics have the same purpose,” only that politics often uses religion.)

Rousseau draws an explicit parallel between the lawgiver (or founder) and the religious leader not because he sees government and religion as the same, but because both of their positions require persuading people to gather around a common identity and set of beliefs. This reflects the underlying importance of culture and tradition to a nation: while the social contract is what gives a state its legitimacy, it is not what truly animates a people. In other words, it is form, not content: it says how people have to cooperate, but not what they have to cooperate on. Rather, “the social spirit” and the people’s civic and moral values define what people actually choose to do in practice.



BOOK 2, CHAPTER 8: THE PEOPLE

Before “laying down good laws,” lawgivers must ensure that the people will support those laws. Unfortunately, “once customs are established and prejudices rooted,” they are difficult to change, but it is still possible—through revolutions, for example. But Rousseau thinks that a nation only gets one try at organizing into society: if it fails, “the state falls apart” and people need “a master, not a liberator.” Nations grow ready for laws at different paces, and rulers must be aware of this. Rousseau uses the Russian monarch Peter the Great as an example of a leader who tried to civilize his people before they were ready, and says that Russia’s impending demise is evidence of his failure.

Rousseau seems to be contradicting himself: if the lawgiver only brings the community together, why would the lawgiver have to “lay[] down good laws?” In fact, he is distinguishing between the specific pieces of legislation that a sovereign people will pass to rule themselves and the original law—like a constitution, or the terms of a social contract—that turns people into a sovereign in the first place. He also suggests that states have to be formed at the correct time in a people’s development into a community and only get one shot at establishing a republic, but history clearly shows that many nations (including France itself) have gone through multiple revolutions and stages of democracy. This tension may be resolved if each attempt at democracy creates a new “people,” or a new community identity, which means that after a failed state is brought to order by an authoritarian “master,” it could then form a new communal identity and try again to create a republic. However, it is difficult to tell if this is precisely what Rousseau means. Finally, the rootedness of customs and prejudices is a double-edged sword: while this makes it difficult for an unsuccessful society to correct itself, it also illustrates how a well-organized society can strengthen its institutions and moral values over time.



BOOK 2, CHAPTER 9: THE PEOPLE: CONTINUED

Next, Rousseau argues that a state must be “neither too large to be well-governed nor too small to maintain itself.” Large countries reduce citizens’ “social bond” with one another and are logistically hard to govern, which breeds multi-level bureaucracies that are inefficient and expensive to run. It is hard to implement laws and organize citizens over a large territory occupied by diverse groups with different needs and attitudes toward the law. In trying to do this, bureaucracy tends to turn inward on itself, avoid the needs of the citizenry, and create unrest. But small countries run the “danger of being swallowed up” by large countries, and they must grow and reach “a kind of equilibrium” in order to survive. But the quality of government is more important than any of these factors. In fact, governments that base themselves on conquest and expansion inevitably overextend themselves and fall.

By pointing out the diversity among different peoples, customs, and political formations, Rousseau emphasizes that the social contract and the people’s laws will always need to take on a local flavor wherever a republic is established: no two legitimate states will look alike, and they never should, since every state must adapt to its people’s specific context. Still, he thinks that general principles (like the advantage of a right-sized state) do hold, regardless of a state’s specific character. The implication of Rousseau’s argument is that countries should be relatively small—much smaller than they are today, and probably around the size of his beloved Geneva—in order to govern themselves effectively.



BOOK 2, CHAPTER 10: THE PEOPLE: CONTINUED

Rousseau argues that a state must also balance its population with its size, so that there is neither too little food (and instability due to reliance on imports) nor too much land to protect. There is no equation for this, since the correct population and density will depend on the kind and quality of land, as well as the people's rate of population growth. Finally, forming a state also requires "peace and plenty," while tyrants tend to pass laws during times of crisis so that people do not notice.

Rousseau concludes that there are many conditions that must be met for a people to be "fit to receive laws." They must not already be organized into a state, and they need some common "origin, interest or convention" that holds them together, but not "deep-rooted customs or superstitions" that would prevent them from trusting rulers. Without being caught up in crises or wars, they must still be strong enough to defend themselves, and as a community they must be simultaneously self-sufficient and relatively small. It is rare to find all these conditions together, which is why it is difficult to start a society. In fact, Rousseau thinks there is only one place left in Europe that is "fit to receive laws," which is Corsica (an island in the Mediterranean).

The relationship between a state's territory and its population is another principle that Rousseau believes can apply across different cultural contexts, because the need for food, water, and shelter is a constant across all human experience. However, by acknowledging that this cannot be calculated, he also stops short of many contemporaries who argued that scientific calculation and planning could be applied even to culture and human reproduction.



Rousseau again emphasizes that, to form a republic, people need the right amount of unity—not so little that they cannot imagine themselves as a nation, and not so much that their identity is already based on concepts that are mutually exclusive with citizenship. Rather than "customs or superstitions," he wants politics and a sense of civic duty to be the cultural tie that unites citizens. Again, while the legitimacy of a state comes from its form (a social contract to which everyone freely consents), the character and longevity of a state depend on the content of a state's identity—or the culture that citizens establish and maintain. By pointing out how difficult it is to truly create a functioning state, Rousseau reminds the reader that his picture of the legitimate nation is purely hypothetical: it is an ideal to which real states should aspire, and it is only natural that most of them will fall short.



BOOK 2, CHAPTER 11: VARIOUS SYSTEMS OF LAW

Rousseau argues that all legal systems must pursue two goals: "freedom and equality." Freedom is the basis of the **body politic**, and equality is necessary to ensure freedom. Rousseau does not think everyone should have the same amount of "power and wealth," but instead that nobody should have the power to do violence and nobody should be so rich that they can "buy another" person or so poor that they have to "sell [themselves]." Although perfect equality is impossible and unregulated societies tend toward inequality, the law should still promote equality as much as possible.

Freedom and equality are both the starting point and the endpoint of any legitimate state. Rousseau has already explained at length why freedom is necessary in the state: people are inherently free and could never freely agree to give up their freedom, which means they must freely agree to live in a society that protects their freedom in order for that society to be legitimate. In order for people to create a nation, they must all make the same covenant with the whole political community, and since it is this same covenant that establishes their membership in the community, everyone is an equal member of the community. By pointing out that not all differences in power and wealth actually make enough of a difference to create inequality, Rousseau dispels fears that he would want to impose extreme social controls to establish perfect uniformity, but he still makes the point that a society is more functional when its citizens consider one another to be equals.



Next, Rousseau explains that each country must adapt to its particular circumstances, especially its geography. For instance, a country with good farmland should expand agriculture and one with good coastland should build “develop trade and navigation.” Rousseau even explains why different ancient civilizations specialized in different trades through this geographical principle, and he argues that states must create laws that are “in harmony” with these natural needs in order to be successful.

Again, Rousseau believes that different contexts call for different nation-building strategies, which means that while there is a single formula for creating a legitimate state (a social contract of free equal citizens), there can be no such formula for creating a successful one. However, his explanation for ancient nations’ success relies very heavily on a discredited assumption that modern social scientists call “environmental determinism.” This belief has often been used to erase histories of violence and colonialism by suggesting that certain (usually European) nations prospered because of inherent geographical advantages, rather than violence.



BOOK 2, CHAPTER 12: CLASSIFICATION OF LAWS

Rousseau argues that, in order to be successful, a republic needs to use different kinds of laws to define “various relations” among various kinds of entities. First, to determine “the relation of all with all, or of the sovereign with the state,” it needs “Political Laws” (which, if suitable to a given country, become the “Fundamental Laws” of its government, and if unsuitable, can be changed). Then, to define how each citizen relates to the whole **body politic**, it requires “Civil Laws.” Next, it uses “Criminal Laws” to establish disobedient people’s relation to the state, and finally, “the most important of all” is the law of “morals, customs and, above all, belief,” which are central to the state’s integrity. However, because Rousseau is focused on government in this book, here he will only discuss Political Laws.

While Rousseau’s specific roadmap for how nations should structure their legal systems is only tangentially related to the main thread of his argument, it reflects the different domains of life in a republican society, which makes it easy to see how influential Rousseau’s thought has been on contemporary liberal democratic states. “Political Laws” or “Fundamental Laws,” the focus of Rousseau’s book, are essentially equivalent to a nation’s constitution, which defines how its political system must work. The division between “Civil” and “Criminal” is present in many contemporary court systems and reflects the way that members of society can both make demands on the political system as citizens and have demands made on them as subjects (for instance, when they break the law). Finally, Rousseau again points out that “morals, customs and, above all, belief” are the backbone of a society’s health because they are what actually bind people together into a community and lead them to see one another as equals.



BOOK 3, INTRODUCTION

Rousseau explains that he must clearly define “government” before he starts comparing different kinds of government.

In Book 1, Rousseau explained what makes a state legitimate: it must be founded on a social contract among equals that preserves everyone’s freedom by converting individuals into a community. In Book 2, he explained how such a state can legitimately govern itself: it must allow citizens to exercise sovereignty as a collective, which means passing (but not implementing) laws. Now, in Book 3, he looks at what it actually takes to implement laws, which is the purpose of the institution he calls “government.”



BOOK 3, CHAPTER 1: OF GOVERNMENT IN GENERAL

After warning the reader that this chapter is complex, Rousseau declares that all actions have two causes—a “moral” cause (the will or intention) and a “physical” cause (“the strength which executes” the intention). In a state, these correspond to the legislative and executive powers, respectively, which must work together to enact the general will. The people hold the legislative power, but they cannot hold the executive power, because this encompasses “particular acts” that are beyond the sovereign’s job of making laws. Rather, the sovereign needs a government, which (first) communicates between subjects and the sovereign and (second) implements laws and actively preserves people’s freedom. The sovereign gives this government its power and has the right to “limit, modify and resume” this power. In short, Rousseau concludes, “government” is another word for “the legitimate exercise of executive power.” He uses the words “prince” and “magistrate” to refer to the institution that governs.

The government communicates between the sovereign and the subjects (which are different perspectives on the people). To function well, the sovereign, government, and subjects must remain in balance—Rousseau explains this in confusing mathematical terms, but his argument is simple. First, as a country’s population grows, each citizen gets less say in politics, and the government needs to grow stronger to get people to obey the laws. But if *governments* grow too large, administrators “abuse their power,” so the *sovereign* must increase its relative power over the government to stop these “abuse[s].” Therefore, the sovereign’s power over government and government’s power over the people must remain in proportion with the size of the population. Rousseau concludes that the government should be very approximately proportional to “the square root of the number of the people,” in terms of “the amount of activity” (although this cannot actually be calculated).

It is important to note that Rousseau uses the word “government” to refer solely to the executive branch, rather than in its contemporary (particularly American) usage as a synonym for “state” as a whole. Similarly, his use of the word “prince” is very unconventional, but essentially it refers to the entire administration. (It may be a reference to Rousseau’s predecessor Niccolò Machiavelli, who is best remembered for the guide to statecraft [The Prince](#).) The technical difference between “moral” and “physical” causes, which is borrowed from earlier philosophers, allows Rousseau to establish a philosophical justification for the separation of powers between the sovereign (which establishes the will of the people) and the executive or government (which enacts that will).



In their capacity as citizens, the people form the sovereign and make laws. In their capacity as subjects, they are bound to follow these laws. However, there would be a conflict of interest if they directly had to police themselves, which is why the government serves as a mediator to ensure that the laws actually get implemented. Again, an analogy to self-control can be useful: someone could set their own goals (like the sovereign) but also need the help of another person (the government) to ensure that they (like the subject) meet these goals. Rousseau’s mathematical formula is unnecessarily complex, but his essential point is that government has to be strong enough to make the people follow the laws, yet small enough that it does not “abuse [its] power.” This requires the government to grow with, but not as fast as, the population. When the population grows, the people grow weaker, which means that the government has to grow stronger, and so each government official needs to start presiding over a larger proportion of the population.



Rousseau continues by declaring that a government is like a microcosm of the **body politic** and says that it is comprised of different parts or administrators, organized hierarchically. However, governments *only* exist because of the sovereign, and their one and only function is to enact the general will. If officials pursue their personal interests, they are abusing their power, and if they use the government's resources to enforce their personal interests, they destroy the integrity of the state, leading "the body politic [to be] dissolved." While the government needs its own culture and institutions to structure and preserve itself over time, they cannot be *too* strong, lest they lead administrators to abuse their power. Both the government's strength and its willingness to fulfill its mission can waver over time, depending on this culture and its relations with the rest of the state.

Rousseau compares the government to the body politic because both are full of individuals who are asked to put the public interest above their private interest. (To make things even more complicated, members of the government are also citizens and members of the sovereign, so they have to balance three different sets of interests.) Just like civic, moral, and institutional culture significantly affect the health of society as a whole, the same factors are crucial to keeping a government honest. However, the difference is that the government's culture cannot be so strong that people put their loyalty to the government above their loyalty to society as a whole. Rousseau argues that the sovereign is the best check against the government's ability to abuse its power, because the sovereign is essentially the government's boss: the government's only job is to fulfill the sovereign's will, and it can be fired whenever it fails to do this.



BOOK 3, CHAPTER 2: THE CONSTITUTIVE PRINCIPLE OF THE DIFFERENT FORMS OF GOVERNMENT

Rousseau contends that, if a government adds more magistrates (administrators) without the state growing, each magistrate starts getting power and the government as a whole grows weaker because it expends more of its power on internal affairs. Indeed, a magistrate has "three essentially different wills": the self-interested personal will, the "corporate will" of the government, and the sovereign (or the people's) will. While in theory a magistrate should let the sovereign will dominate their decision-making, in practice, it is the opposite: the personal will is strongest, since people are self-interested. So as the number of magistrates grows, the power of each magistrate's personal will shrinks, and because "the exercise of power depends on the degree of will," a government with more magistrates becomes less dominated by personal will and therefore less "active" (or powerful, relative to the sovereign and the subjects).

Crucially, Rousseau thinks that, as the government stays the same size, its "amount of activity" increases if its number of officials decreases. This is because a smaller group of officials will make decisions more efficiently. Importantly, the number of magistrates or administrators is not the same as the size of the government. Rather, Rousseau is talking about how hierarchical the government is. So a more hierarchical government (with fewer people at the top) will be more efficient but less precise in carrying out the people's will. Rousseau's taxonomy of the three wills is just another way of making this point: the magistrates' personal will gets more influence when there are fewer magistrates. In other words, Rousseau turns the common logic on its head: efficient governments are more likely to be corrupt, and inefficient bureaucracies are more likely to actually carry out the people's will (even though they do it very slowly).



Therefore, Rousseau concludes that it is possible to change the role of the government relative to the sovereign and the subjects by changing its number of magistrates. In the previous chapter, he argued that government needs more “repressive force” the bigger its population grows. Therefore, he concludes, governments need fewer magistrates per unit of population when the population is large than when it is small, as having fewer magistrates creates a stronger government based more on the personal will. But having more magistrates creates better “quality” decisions, which are closer to the sovereign general will. So government is a balancing act between ensuring a sufficiently strong government (fewer magistrates) and getting as close as possible to the general will (more magistrates).

Rousseau returns to his argument from the previous chapter: the government can serve to balance power between the two aspects of the people (the sovereign and the subjects). Now, it is clearer why he thinks that government should not grow as fast as the population: government actually becomes stronger when there are fewer people in charge. At the same time, the fact that smaller states can afford to have more magistrates and a more involved political decision-making process suggests that these smaller states ultimately produce better outcomes. While larger states are more powerful and their policies have a greater impact because they are more far-reaching, smaller states generally put better policies in place. And it is worth noting again that these two forms of government are not mutually exclusive: in fact, this is why most contemporary states function with overlapping jurisdictions on national, local, and sometimes also provincial or state levels.



BOOK 3, CHAPTER 3: CLASSIFICATION OF GOVERNMENTS

Having established that governments differ primarily based on “the number of members [magistrates] who compose them,” now Rousseau defines the different kinds of government on this basis. If every citizen (or the majority of citizens) serves as a magistrate, there is democracy. If a few citizens are magistrates, there is aristocracy. And if there is one magistrate who has fundamental power over government, there is monarchy. But this is a spectrum, and there can be “mixed forms” (with different parts of government run in different ways).

Readers must be careful to distinguish Rousseau’s usage of the terms “democracy,” “aristocracy,” and “monarchy” from their contemporary meanings, in which they refer to the way that laws are made (or legislation), rather than the way they are implemented (or government). In other words, Rousseau always believes in what is now called democracy, because he thinks that the legislature should always be made of citizens. In this and the next few chapters, he is only asking about how many people should actually run the administration, or the executive branch. It also must be emphasized that the quantity of magistrates is not the same as the total number of people who work for the government, but rather the number of people who participate in the highest level of governmental deliberations. For instance, monarchy is not a government of one person, but rather a government in which one person holds all the power and makes all the decisions.



Whereas most philosophers have looked for a single “best form of government,” Rousseau recalls his conclusion from the last chapter: states with larger populations of citizens should have relatively fewer magistrates. Therefore, he concludes, “democratic government suits small states, aristocratic government suits states of intermediate size and monarchy suits large states.” But there can be exceptions.

Rousseau explicitly breaks with the history of political theory by insisting that there is no “best form of government” that functions across all contexts and refusing to propose a system that he imagines could work in any nation. However, in just a few chapters he begins doing the opposite when he argues that an elected aristocracy is essentially the best form of government. Readers will have to decide whether this conflict detracts from his argument, and to what extent.



BOOK 3, CHAPTER 4: DEMOCRACY

Democracy “unite[s] the executive power with the legislative,” but this creates a situation Rousseau calls “government without government.” Namely, “the **body** of the people” should stay focused on making the laws, rather than implementing them in relation to “particular objects,” because this essentially means allowing “private interests” to run the government and corrupt the state.

Of course, no “true democracy” can ever exist—an entire country’s population will not “sit permanently in an assembly to deal with public affairs.” Democracy requires a state small enough that everyone knows everyone else, “a great simplicity of manners and morals” so that people actually implement laws, almost perfect social equality, and “no luxury,” because luxury breeds corruption and inequality. In short, these conditions require a profound degree of virtue from citizens—virtue is important in all states, but even more so in those that have democratic governments. Finally, democracies are also prone to internal conflicts like civil wars, because they are very fickle. Democracy, Rousseau concludes, is suitable for the Gods, but not for human beings.

Again, Rousseau’s definition of democracy must not be confused with the present-day idea that a government is democratic if all the citizens are represented. Rather, when Rousseau talks about “democracy,” he is imagining a system in which all the citizens not only assemble to write the laws, but also assemble to decide how they will be enforced. This means that the same assembly both writes and directs the implementation of laws, but this defeats the purpose of the separation of powers in the first place, which to let the sovereign focus on determining the general will while the government implements laws without interference of “private interests.” This conflict of interests is why Rousseau argues that this kind of democracy would be “government without government.”



The “government without government” that Rousseau described above is basically impossible, so when he argues that democracy could work in a small and equal state, he is really talking about systems of government that are closer to democracy than anything else. In fact, the differences between democracy, aristocracy, and monarchy exist on a spectrum, because power can be subdivided and redistributed at a variety of different scales. Still, a mostly democratic government—in which a majority of citizens collaborates to decide how to implement the laws—can only be successful in a state with an extraordinarily equal and virtuous moral culture, where any other form of government would likely work, too. Therefore, Rousseau seems to essentially rule out this kind of democracy—although, again, the thing he’s ruling out is not the same as what contemporary people call “democracy” (which is actually the precise kind of popular sovereignty that Rousseau favors in this book).



BOOK 3, CHAPTER 5: ARISTOCRACY

Rousseau reminds the reader that the government ultimately works and speaks for the sovereign (the people). Then, he distinguishes three different kinds of aristocracy: “natural, elective and hereditary.” Natural aristocracy involves small “primitive” communities being led by elders and religious leaders; elective aristocracy, according to Rousseau, is “the best” form of government; and hereditary aristocracy “is the worst of all governments.” Here, he focuses on elective aristocracy. Election is a fair method because candidates who display traits like “**honesty, sagacity, [and] experience**” will likely be chosen. Official business is more efficient and trustworthy, as long as the elected officials prioritize the general will over their own self-interest (although this will never happen perfectly).

In an aristocracy, a small group of magistrates work together to determine how the laws will be implemented. Although Rousseau does not specify how they should divide this power, it seems that his picture of aristocracy is similar to modern administrations, in which a cabinet of ministers takes charge of implementing the law. Of course, as Rousseau emphasizes here, these aristocrats have to be competent, which is why he thinks they should be elected. But he actually means that they should be appointed, or elected by the government itself, rather than elected by all the people. And it should be remembered that, in defending an aristocratic government, Rousseau is not defending an aristocratic state (in which a network of nobility and oligarchs run the government).



Aristocracy is not suited for tiny countries where “the execution of the law follows directly from the public will,” nor for large countries where magistrates get too much power over the territories they govern. And it still requires “virtues of its own,” like “moderation”—but not as much virtue or equality as democracy requires. It is also essential that merit, rather than wealth, determines who is elected.

Rousseau continues to emphasize the importance of state size as a contextual factor in determining what kind of government should rule, but the exceptions he makes are very extreme, and it seems that he considers elected aristocracy an appropriate form of government for the majority of states. Notably, Rousseau imagines these magistrates being divided by territory, like separate governors of different provinces or states, rather than function, like different ministers who are responsible for different departments. This idea may have been related to the limitations in communication and transportation technology in Rousseau’s time, but contemporary governments use both kinds of divisions: provincial governors and ministries act as a microcosm of the federal government and cabinet ministries. By emphasizing the importance of virtue, Rousseau continues to remind the reader that cultural and institutional factors truly determine whether a state stays healthy or collapses: a well-designed state filled with corrupt people will never survive.



BOOK 3, CHAPTER 6: MONARCHY

In monarchy, a single person carries the government’s entire executive power. Therefore, it produces maximal results with minimal effort, but it places no checks on the monarch’s will: nothing forces a king to pursue “the public happiness.” Instead, monarchs want to amass absolute power, and while they get some power from being beloved by the people, this is usually not enough. In fact, what’s even better for a king is for the people to “be weak, wretched and never able to resist” his policies.

Rousseau’s version of monarchy is not the same as a state in which the king holds all power. Rather, he still thinks the people need to make the laws, and then he is imagining that the people would appoint a single person to completely direct the implementation of those laws. The dangers of this system are obvious—even if it is the people’s will, giving all power to a single person is dangerous because that person can become too strong for the sovereign (the people) to control. So Rousseau again emphasizes that, while monarchy can be valid in theory, in practice, it would work in very few contexts.



Rousseau recalls that, according to his calculations, monarchies work best in large states. He further explains that, because monarchies vest all power in one magistrate’s hands, kings become too disconnected from the people, so they create “social orders” (like nobility) to fill the gap. This would not work in a small country.

It must be recalled that Rousseau’s division of different kinds of government is about where ultimate decision-making power lies, and not about how many people actually work for the government. A monarch can have half the population on their payroll and still run a monarchy, if nobody else has any real say over how the law is put into place. What is more likely, however, is that some of the monarch’s employees (or the nobility) would take some power themselves, converting the state into something of an aristocracy.



But monarchy has several serious problems. First, it rewards incapable but loyal people with powerful roles in the administration, which they ruin through corruption. Meanwhile, in a republic, only competent people are elected to such offices. Similarly, while monarchs are good at conquering territory, they “are almost always inadequate” at administering it. In a democracy or aristocracy, government is always continuous, but when a monarch dies, electing a new one is complicated, which is why most monarchies have become hereditary—and put in “monsters or imbeciles for rulers.” Indeed, when a monarch’s child is raised and educated to rule, it is all the more likely they will lack “justice and reason.” This also creates inconsistency in the government’s agenda from one period of rule to another. So, while monarchy “is incontestably the strongest” kind of government, monarchs themselves are usually incompetent, and they squander this strength.

Rousseau’s distrust of monarchs is based on the principle that the government works for the sovereign and has no legitimate power except that which the sovereign gives them. Therefore, a monarch can only rule well if they completely put their own individual personal will aside, but essentially nobody can do this successfully, since (as he has argued elsewhere) people are self-interested and tend to put their personal will first. Similarly, his consistent suspicion of inherited power not only reminds the reader that he considers moral fitness to rule the most important criterion for joining the government, but also reflects his underlying faith in social equality, because he thinks that kings’ children become “monsters or imbeciles” precisely because they grow up with too much power and privilege to truly see their fellow citizens as equals.



BOOK 3, CHAPTER 7: MIXED FORMS OF GOVERNMENT

Rousseau clarifies that “no government of a simple form exists” because there is always hierarchy within any government: “sometimes the many submit to the few, and sometimes the few submit to the many.” Sometimes, too, a government can have equal but interdependent houses. So which is better, Rousseau asks, a mixed or simple government? While a simple one is better in theory, mixing the government is a way to more carefully fine-tune its power—for instance, by dividing a government that is too strong or adding new commissions to help strengthen it when it is too weak.

Rousseau clarifies that, although he divided government into three different types (democracy, aristocracy, and monarchy), not only do these differences lie on a spectrum, but there are also always multiple layers of hierarchy in any government. By adding layers of hierarchy to the government and adjusting the number of magistrates working at each level, then, the sovereign can ensure that government fulfills its two important functions: holding the citizens to their word and balancing power.



BOOK 3, CHAPTER 8: THAT ALL FORMS OF GOVERNMENT DO NOT SUIT ALL COUNTRIES

Rousseau agrees with the philosopher Montesquieu that “freedom is not a fruit of every climate.” Specifically, people who work for the government must live off of the surplus produced by the state’s members, but “this surplus is not the same in every country”—it depends both on a country’s climate and its people—and different governments consume different amounts of resources. Of course, the closer government administrators are to people who pay taxes, the more likely taxpayers will see the *benefits* of their contributions. So taxpayers see the least benefit in monarchies, which must be “opulent” to survive. In general, in fact, monarchies concentrate power in private hands while democracies tend to distribute it for the common good.

Rousseau’s populist undertones are clear here: while local and democratic forms of government more equitably distribute resources, he argues, monarchies function by extorting the population. However, the Montesquieu quote he includes borders on deterministic, because it suggests that some places are destined to achieve freedom while others are destined to be oppressed. (Europeans have often used this idea to argue that Europe’s colonial conquests and genocides were natural and inevitable outcomes of intractable cultural differences, rather than morally significant choices.) It is up to readers to determine if Rousseau’s belief in the importance of climate reproduces this flawed logic.



Rousseau returns to the question of climate. The richer and more fertile the land, he suggests, the more surplus it will produce (so the more likely it can have a monarchy). Overall, he declares, hot and cold climates are fitting for despots and barbarians (respectively), while civilization arises in “temperate regions.” For many reasons, hot countries produce a greater surplus: their land is more fertile, their people consume less, and their food is more nutritious. Accordingly, “hot countries need fewer inhabitants than cold countries, and can feed more,” so they have lower population density. Rousseau concludes that *this* is why hot countries are ruled by despots: people are easier to control and less likely to rebel when they live far apart.

Notably, Rousseau does not declare that a more fertile territory should be ruled by a monarchy, but only that a territory must be relatively fertile in order for monarchy to be possible there. By modern standards, the rest of Rousseau’s argument in this passage is both empirically wrong and morally unconscionable. It is not at all true that hot territories are always more fertile: for instance, the Sahara Desert is very hot, but not at all fertile. And neither are “hot countries” less densely populated than “cold countries” in the present day. Needless to say, Rousseau’s perspective is entirely based on Europe, and it neither holds up to scientific scrutiny nor should be generalized to explain anything about political differences anywhere in the world. While it is clear that he was influenced by the biased science and speculative anthropology of his time, however, Rousseau’s arguments were still more radical than not, as most of Europe was ruled by monarchies in his day, and to them popular sovereignty was unthinkable.



BOOK 3, CHAPTER 9: THE SIGNS OF A GOOD GOVERNMENT

There is no single “best government,” because this question always depends on the territory and people governed. But there still could be “signs” that show “whether a given people is well or badly governed.” However, everyone will see these signs differently: some citizens prioritize security while others cherish their rights; some government officials want power and some subjects want the government out of their lives. So there is “no precise standard of measurement” for such moral questions. But Rousseau thinks that population is nonetheless a good sign, because it clearly shows that a country’s citizens are “protected and prosperous.” In fact, he declares that “the best government” is the one whose population grows the fastest.

Even if Rousseau’s specific analysis of how government does and should function in different contexts is largely based on outdated assumptions and tropes, this does not affect his overall conclusion: different peoples and places call for different forms of government. However, Rousseau thinks that it’s still possible to determine whether government is successful or not through “signs,” even though most of what people consider to be valid “signs” are actually less meaningful than they seem. But, in order to take Rousseau’s argument about the diversity of “signs” to its fullest logical extent, the reader must also ask whether he is right about population growth signaling that a state has “the best government”—ironically enough, in the 21st century, a country is seen as successful when it is able to slow down population growth, and the fastest-growing countries are generally considered the least developed and most poorly-governed.



BOOK 3, CHAPTER 10: THE ABUSE OF GOVERNMENT AND ITS TENDENCY TO DEGENERATE

Rousseau contends that there is an inevitable tension between the government and the sovereign (just like the tension between the particular and general wills of citizens and magistrates). Ultimately, he says, the government will always defeat the sovereign, “just as old age and death destroy the **body** of a man.” And “a government degenerates” when the government itself shrinks—after it starts losing power and activity, it consolidates into fewer people’s hands—or when the state dissolves because either the government (as a body) or its members (as individuals) “usurps the sovereign power.” This dissolves the social contract and creates anarchy, or more specifically ochlocracy, oligarchy, or tyranny (if the government started out as a democracy, aristocracy, or monarchy, respectively). “Tyrant,” Rousseau clarifies, is often used to mean any powerful king who ignores justice, but it specifically means someone who illegitimately usurps power.

The government and the sovereign complement one another by balancing power, but this balance of power is really like a tug-of-war: both inevitably seek to increase their power at the expense of the other. Namely, magistrates in the government will constantly try to seize and consolidate power, because of what they stand to gain through corruption. Ultimately, their goal is to “usurp” power—which means to prevent the people from acting as the sovereign and instead make laws in the people’s place. (Ochlocracy, oligarchy, and tyranny are respective terms for what democracy, aristocracy, or monarchy become when the government takes over the sovereign’s role.) Meanwhile, the people must constantly withstand these attempts to usurp power, and their capacity to do so relies on their civic culture and sense of moral fortitude. The people fundamentally make a nation legitimate or illegitimate by fulfilling the role of the sovereign, which means that when their power is usurped, the nation ceases to be legitimate.



BOOK 3, CHAPTER 11: THE DEATH OF THE BODY POLITIC

Even “the best constituted” states eventually fall, and lawgivers must recognize this in order to set up effective ones. The **body politic** ages and dies like the human body: the stronger it is, the longer it will last, but it can never last forever. Specifically, its lifespan depends on that of its legislative branch, which is like its heart: the legislative power constantly revalidates the original laws of a country, and in a healthy state these laws become *stronger* over time because of the sovereign legislature’s continuous recognition. If the original laws instead grow “weaker with age,” this is a sign that the government is dying.

Just because a state dies, this does not mean that it has failed, any more than the fact that a person inevitably dies means that their whole life was a failure. By comparing the legislature (or the sovereign) to the heart, Rousseau is not only emphasizing that this agency is the most important one in government, but also revealing how a nation’s civic culture is like a muscle that must be actively exercised. When the government fails, the legislature can intervene by firing and replacing it, but when the sovereign legislature fails, there is no higher power to take its place. Therefore, if a state is properly structured, the most important factor in its longevity is not its structure but rather its culture.



BOOK 3, CHAPTER 12: HOW THE SOVEREIGN AUTHORITY MAINTAINS ITSELF

The sovereign’s power resides in the legislature, which acts through laws that express the general will. Of course, in order to truly express this general will, *all* “the people” would need to assemble together, which happened in the past, even if it seems unfathomable today: Rousseau cites the example of the Roman Republic, which managed to assemble virtually weekly despite having hundreds of thousands of citizens. In fact, “the majority of ancient governments [...] had similar assemblies.”

Rousseau’s proposal encompasses what is now known as direct democracy: he believes that all the citizens must physically gather in one place to vote collectively on the laws. Of course, when Rousseau wrote that direct democracy was unfathomable, he could have only imagined how much larger and more centralized states would become over the next several centuries: now, the prospect of citizens actually voting on laws seems more than just far-fetched; it seems archaic and laughable to many. However, on the level of local government, it is still conceivable, and Rousseau views involvement in such local government as the backbone of the far larger institutions that purport to speak for the community as a whole.



BOOK 3, CHAPTER 13: THE SAME—CONTINUED

Beyond creating a constitution, establishing laws, and setting up a government, the people must meet regularly, in a manner set forth by the law. The stronger (or more active) the government, “the more frequently the sovereign should meet in assemblies.” But when a state is larger than a single town or city, sovereignty can neither be divided among areas, nor “concentrated in” a capital city, because true sovereignty lies in the people itself. While “it is always an evil to unite several towns in one nation,” it is also necessary so that small towns do not get absorbed by larger ones. Rousseau suggests that a large state should periodically “move the seat of government from one place to another,” to ensure that every part of the territory gets “the same abundance and life” and cities do not prosper at the expense of rural areas.

Rousseau makes it clear that citizens’ public assemblies are not only a means to create laws, but also a way of keeping the nation’s heart beating, as it were, by sustaining a culture of civic participation and publicly embodying the sovereign power. When the government is stronger, the sovereign ought to meet “more frequently” in order to exercise proper oversight of the government (which, it bears repeating, works for the sovereign and can be fired at any time). Again, Rousseau is imagining nations on the scale of his native city-state, Geneva, in which it would be logistically possible for all the citizens to meet; now, virtually all nations encompass “several towns.” However, modern nations’ capitals and cities almost always develop more than their rural areas, which shows that Rousseau’s proposal about rotating the seat of power—although impractical—does reflect a real concern about the dangers of unequal concentrations of power within a nation.



BOOK 3, CHAPTER 14: THE SAME—CONTINUED

When the people actually assemble in their capacity as the sovereign, the government or executive branch is momentarily invalid (because it is only ever an *expression* of the fundamentally superior sovereign power). This tends to scare the magistrates that run the government, and when they try to seize control from the people, they often destroy the very republic.

Specifically, Rousseau clarifies, the people’s meetings also serve to remind the government’s magistrates that they are employees of the people—after all, this is why government workers are now called “civil servants.” Because the sovereign represents the general will and the government is merely hired to enforce this will, whenever the people meet, the general will is being renegotiated, so while the state’s legitimacy as a whole is affirmed, the government’s legitimacy as an agent of the general will is temporarily suspended.



BOOK 3, CHAPTER 15: DEPUTIES OR REPRESENTATIVES

When citizens stop prioritizing their “public service” as members of the sovereign over their own personal wealth—for instance, by preferring to “pay mercenaries” rather than fight in wars personally—the state declines. In a successful state, on the other hand, citizens prioritize their public lives over their private lives and derive happiness from their participation in the state.

Rousseau’s skepticism of representative democracy is telling, because essentially all modern-day republics use representative rather than direct democracy to make their laws. Sure enough, most modern-day republics also see their citizens complain about their representatives being corrupt, self-interested, and out of touch with everyday people and their needs. So, while Rousseau’s call for widespread direct democracy is impractical, it also reflects reasonable, serious concerns about the legitimacy of any state that does not let citizens directly influence policy.



As citizens gradually give up on participating in the sovereign legislature, they put representatives and deputies in their place. But Rousseau considers this incorrect, because sovereignty resides entirely in the general will and so can neither be represented nor alienated. (Of course, representation is proper for the *executive* power, or government, as Rousseau has argued throughout Book 3.) Representation in legislatures is a historical anomaly: even in Rome, everyone voted directly, and in ancient Greece, citizens assembled publicly all the time (which Greece's "mild climate" made possible). In contrast, modern people are "slaves" to their political system, and they gain nothing from sacrificing their freedom.

Rousseau sees the use of representatives as a sign that a democracy's civic culture has failed and citizens have stopped truly caring about the welfare of the national community. Of course, people also have strong incentives to want to be representatives, because this gives them power and status, so the citizens need to maintain a strong culture of civic responsibility in order to retain their status as the sovereign. By using the highly-respected precedents of Rome and Greece as examples, Rousseau points out that direct participation in democracy does not require technological or organizational sophistication: in fact, it is just the contrary. As societies become more sophisticated, it seems, people begin to take their states for granted and lose interest in actively maintaining their legitimacy.



BOOK 3, CHAPTER 16: THAT THE INSTITUTION OF THE GOVERNMENT IS NOT A CONTRACT

Rousseau reiterates that the legislative (sovereign) and executive (government) powers must be separate, so that there is a clear distinction between laws themselves and actions taken to implement the laws. But what creates this relationship between the sovereign and the government? Is there a contract, as some have argued? Rousseau concludes that there is not. First, the sovereign has "supreme authority," but a contract would mean it *gives up* some of its power to the government, which is "absurd and self-contradictory." Second, the sovereign can only set general laws, rather than "particular act[s]," including a contract. And finally, there is nothing to *enforce* a contract between the sovereign and the government. So, ultimately, there can be no contract between the sovereign and the government.

Having explained what the government is (the branch of the state responsible for implementing the laws) and where its authority comes from (it is delegated by the sovereign), Rousseau still has to explain how the sovereign actually brings the government into existence. Given the argument of his book thus far, readers may be surprised to hear that Rousseau does not believe a contract can legitimately create the government. However, throughout the book, his argument has always been that contracts are necessary among equals, who acknowledge their mutual freedom and humanity in making an agreement that requires both sides to willingly give something up. Since the government is not the sovereign's equal, these two bodies cannot enter into a contract. Rousseau provides two more reasons that the government cannot come into being through a contract, but their gist is the same: the sovereign should absolutely dominate the government, rather than making an equal agreement with it.



BOOK 3, CHAPTER 17: THE INSTITUTION OF THE GOVERNMENT

Since the government is not created through a contract with the sovereign, Rousseau asks, how is it actually instituted? He says that it involves two parts: first, the sovereign passes a law establishing government, and second, it names the magistrates who will run the government. This second stage is “a particular act,” not a general one (because it applies to specific people), and so it constitutes “a function of government.” But this means that it requires the sovereign to act as a government, which appears to be contradictory. Rousseau assures the reader that this is completely possible: just as the parliament can momentarily raise a specific political issue and discuss it as a subcommittee of itself, the sovereign can temporarily become its own democratic government to appoint magistrates, before then going back to being the sovereign.

Rousseau's explanation of how the sovereign appoints the government may seem paradoxical: by definition, the sovereign cannot engage in any “particular act,” so it cannot appoint a government. Arguably, Rousseau's idea that the sovereign temporarily turns itself into a government may be an equally problematic “particular act,” but in the form of government that Rousseau calls democracy, all the people participate in implementing the laws, so in theory there is no problem with the same people who make up the sovereign also making up the government—that structure is essential to democracies as Rousseau defines them.



BOOK 3, CHAPTER 18: MEANS OF PREVENTING THE USURPATION OF GOVERNMENT

Rousseau summarizes that “the act which institutes the government is not a contract but a law,” emphasizes that magistrates must work dutifully for the sovereign, rather than having power over it. Therefore, “hereditary government” is illegitimate except during transitions from one government to another. Such transitions are dangerous, but they can be necessary when “an established government [...] become[s] incompatible with the public welfare.” Still, it is important to ensure that the “whole people” wants government replaced and that this government will not try “usurp[ing] the sovereign authority.” This is why the people need to assemble periodically, even when there is no pressing business, and vote on whether they want to sustain the existing government and magistrates. Ultimately, Rousseau reiterates, the sovereign people can always revoke “any fundamental law,” even including “the social pact” itself.

It is important to distinguish between “the act which institutes the government,” which is a law because it is general, and the appointment of magistrates, which is an act of the government that occurs after the sovereign has created this government but before it has named anyone to serve in it. Again, Rousseau emphasizes that the government generally attempts to seize power and therefore requires careful oversight from the sovereign, whose periodic assemblies provide a built-in oversight against tyrannous administrations. While it is clear why the people can choose to fire the government, it is more surprising that Rousseau thinks they can renege on the social contract. However, this is a necessary consequence of the fact that citizens freely consent to the social contract: any individual can withdraw this consent at any time, although this requires them to stop living under the rules of society (which means they can no longer enjoy its protections). In turn, the collective can theoretically do the same, if the general will decides that it is no longer in citizens' interests to make their decisions as a collective.



BOOK 4, CHAPTER 1: THAT THE GENERAL WILL IS INDESTRUCTIBLE

When people get together and form a state, they create a common will and begin implementing it. Their goals are simple but lasting: “peace, unity, equality,” and of course happiness. Since the people are of one mind in an ideal state, there would be no need to deliberate about new laws: everyone would recognize and do what is in the common interest. But most states are not so successful, and in them “particular interests” start to gain more power and “the common interest becomes corrupted and meets opposition.” Eventually, the state becomes “empty and illusory,” everyone recognizes that the political system is broken, and “the general will is silenced”—but it does not disappear; it is only overwhelmed by people’s particular wills and ignored by those people.

Having implicitly noted the conflict between private interests and the public good throughout Book 3, Rousseau now explicitly describes this conflict and admits that it is inevitable, because every citizen would always put their own self-interest first. In turn, people will only choose to pursue the best interests of the whole nation if civic culture and institutions convince them that their own status and wellbeing depend on their investment in the community. While it is possible to reach the general will simply by averaging out the private interests of all the individuals who make up the sovereign (as Rousseau noted in Book 2, Chapter 3), if people are not committed to finding the general will, they will likely just form political parties (which are like body politics within the body politic) and discount the interests of their opponents. This splintering is precisely why the general will gets ignored and states die, and it is not completely preventable. It can, however, be reduced and delayed if citizens are encouraged to value their place in public life.



BOOK 4, CHAPTER 2: THE SUFFRAGE

Rousseau again reiterates that the way a state functions reveals the **body politic**’s “moral character” and “health.” The more united it is, the healthier it is and the stronger its general will is; the more divided it is, the more particular interests have taken charge and the closer it is to death. It is sometimes possible for states to appear divided when they are really healthy (like Rome, which was split between “its [upper-class] patricians and [lower-class] plebians”), or united because oppressed citizens have given up on participating in politics.

While Rousseau uses the example of Rome to emphasize that he still wants to avoid making global claims about whether a nation’s “health” can be deduced from its outward appearance, there is still a valid universal principle behind his argument: a nation is as strong and legitimate as it is unified, since the social contract is founded on an agreement to give up one’s autonomy to the whole and make all political decisions for the sake of the collective.



In the original social contract, there is no disagreement, because anyone who disagrees is simply left out. Once the state is created, “residence implies consent,” and anyone who lives in a country assents to its contract and its general will. The majority vote is the best expression of this will—the minority does not go against their will by following the majority, but rather simply learns that they “have made a mistake” about “what [they] believed to be the general will.” Of course, this is only true if the majority is working for the general will and not their own private interests. In order to determine how large a majority must be to reflect the general will, Rousseau says states should combine two principles: “the more important and serious the matter,” the larger the majority needed, and “the swifter the decision the question demands,” the smaller the majority needed.

When Rousseau says that the social contract initially has no disagreement, what he means is that anyone who does not want to join society is free to leave and not agree to the social contract. This means that anyone who lives in society has, by definition, agreed to it. Rousseau’s explanation of majority and minority votes might not satisfy some readers, because it is difficult—if not impossible—to distinguish between the situation in which the majority is right and the minority is learning their lesson, on the one hand, and the more dangerous situation in which the minority truly expresses the general will and the majority has given up on it, on the other hand. While it is clear that the first of these is legitimate and the second of these is not, how can someone living in such a society reliably determine when the minority happens to be right and convince their fellow citizens to defend it? Rousseau provides no clear answer, but he appears to think that each individual must guide themselves to an understanding of the general will through reason, and so if someone concludes they are right because they have rationally examined the general will, then they are, in fact, right. Meanwhile, those on the other side of the vote will not have made this rational deduction. Moreover, Rousseau has already admitted that the sovereign cannot be saved once it goes awry, which means that if the majority is corrupted, the state is likely to be on the brink of death anyway (and little can be done about it, besides reasserting ethical values and trying to convince members of the majority to reinvest in the community).



BOOK 4, CHAPTER 3: ELECTIONS

Government elections can happen either “by choice [through voting] or by lot [randomly],” but Rousseau emphasizes that, either way, elections are the government’s job (not the sovereign’s). In a perfect democracy, random elections would be fairer because serving as a magistrate is “a heavy responsibility” for which it would be unfair to single people out. In an aristocratic government, the governing elites would choose their successors, and voting is the obvious way to ensure they are of high quality. And since there is no “true democracy” whose citizens are all equals, democracies should also vote for some “places that call for special skills, such as military commands.” In monarchies, there are no elections, since the monarch controls the whole government.

While Rousseau believes that the people (that is, the sovereign) should make the laws and magistrates should be elected, he puzzlingly does not think the sovereign people should be the ones to elect those magistrates. But this is not as paradoxical as it seems: as he explained in Book 3, the sovereign has to temporarily turn itself into a democratic government in order to appoint the government that will actually come to rule. This is because the sovereign cannot take “particular acts,” including naming specific people to office. What Rousseau is really saying, then, is that elections by definition have to be conducted by an executive rather than a sovereign body (although both these bodies can be made of the same people). This means that his theory, as presented here, is fully compatible with the possibility of the people democratically voting for their own ministers. That said, he does specifically argue here that the aristocracy should choose its successors on the basis of merit, although he envisions this as a kind of committee vote rather than an appointment process.



BOOK 4, CHAPTER 4: THE ROMAN COMITIA

Rousseau now examines the history of Roman government. It is unclear how Rome was first established, but Rousseau believes the authoritative traditional narratives about it. The original Roman Republic was the Roman army, which was divided into “tribes” and other subgroups. The king Servius reorganized these tribes to prevent “future inequality,” and because the Romans honored rural people and ways of life, the urban tribes could not fully dominate politics. However, when the government allowed citizens to choose their tribes, tribal divisions stopped influencing daily life. For similar reasons, the subdivisions also lost their relevance.

Servius re-divided Rome into six classes, based on wealth. The wealthiest, least populous classes got the most military subdivisions and the poorest class of commoners got only one because they lacked “the honour of bearing arms.” Rousseau argues that this only worked because, unlike modern people, the Romans were neither overly prideful nor greedy.

Next, Rousseau examines how these divisions mapped onto the Roman comitia, or assemblies. The *comitia* had representation from every class division and subdivision, and only the *comitia* made laws and elected magistrates, so all Romans could vote, and “the Roman people was truly sovereign.” Convened under the legally permitted circumstances, these *comitia* essentially functioned as the government as well as the sovereign.

Since he has already used Rome as an example of a legitimate republic, Rousseau now turns to its history in more depth, in order to show what made it so successful. Curiously, while he has argued that a republic can form an army to protect itself, in Rome’s case, the army formed the republic. While all armies are hierarchical, Rome’s was relatively egalitarian, and Servius’s interest in preventing “future inequality” is a reminder that all citizens must enter the social contract and participate in the sovereign on equal terms in order for the society they create to function as well as possible. Rousseau seems to think that the Romans’ cultural virtues—specifically, their sense of humility and respect for rural people—advanced the cause of equality and let them more easily form into a people.



Although Rousseau praises it, Servius’s policy appears to have been gravely unequal and elitist, as it gave the wealthy more representation in the military, which was clearly considered an “honour.” Rousseau thinks that the Romans’ virtues limited the effects of this inequality, but there is no doubt that the wealthy would have had more power over (sovereign) communal decisions because of their greater representation.



Even if Roman society was unequal, the comitia explain why Rousseau considers it to have been a success: these comitia gave everyone a voice in politics, and so even if people’s voices did not have equal sway, at least everyone made up some part of the sovereign. This does not mean that Rome’s system of government was successful—as Rousseau notes here, the Roman Republic used a democratic government rather than appointing a separate one, and Rousseau has already argued that this strategy leads to corruption.



There were three different kinds of comitia throughout Roman history. The first gave the people a voice against the Senate, but it also let wealthy patricians pay “clients” to persuade the people. Servius replaced this with a *comitia* based on his class system, which meant that the single wealthiest class got the majority of the votes. However, this class was “balanced” by some less wealthy people, and because the vote was taken in a random order and later votes tended to agree with earlier ones, the top class’s majority did not mean it dominated all decisions. The third and last *comitia* was strictly an assembly of citizens, not including the Senators (who had the executive power). Rousseau thinks that each of these systems had different origins and benefits, but the second one, which was closest to aristocracy, was the most effective.

In Rome, at first, voting was honest and simple: people “vote[d] by word of mouth,” and a majority won. But eventually, as the Republic’s political culture declined, people started buying votes, and to try to prevent this practice, the comitia started voting by secret ballot. Rousseau laments that more reforms of this kind were not successfully carried out. Ultimately, like all the other laws passed and strategies implemented to prevent corruption, the secret ballot was unsuccessful, although in most ways the *comitia* continued to function relatively smoothly.

None of the three comitia systems could be considered truly equal: the first institutionalized self-interested manipulation, the second based power on wealth, and the last did not truly include all citizens because it excluded those citizens who happened to be appointed to the government. Readers are free to disagree with Rousseau about which of the systems is most equal, but his point is more about each system’s historical success in balancing power, rather than its theoretical likelihood to do so.



These shifts in voting practices over time reflect people’s gradual shift from genuinely caring about and identifying with Rome as a political community to returning to the natural instinct for self-preservation. In other words, they are “signs” of decline in the Republic’s health, which worsened even as Rome’s institutions appeared to stay the same on the surface. This example underlines Rousseau’s distinction between the structure of institutions (which determines if a state is legitimate) and the civic values that govern how people put these institutions to work (which determine if a state actually survives).



BOOK 4, CHAPTER 5: THE TRIBUNATE

Rousseau explains that sometimes “a special magistrate” called a tribunate is necessary to balance power among the sovereign, the government, and the people. It is neither legislative nor executive—in fact, “it can do nothing” at all, but it has power because it can “prevent anything from being done.” While it defends “a good constitution,” the tribunate cannot grow too powerful, lest it “overthrow everything” by taking over the role of the executive power. According to Rousseau, this is what ultimately happened in Rome, and to prevent it from happening, Rousseau suggests that the tribunate only be convened during certain periods of time.

Rousseau continues to use Rome for inspiration: the tribunate he is describing here is what would now be known as a court system, which is the one ingredient that modern-day readers might have noticed seems to be missing from Rousseau’s depiction of the separation of powers. Essentially, the tribunate or court’s purpose is to stop the sovereign from passing laws that do not really advance the general will and prevent the government from implementing laws incorrectly or growing corrupt. In this sense, for Rousseau, the tribunate’s purpose is purely to serve as a check on the other branches of government.



BOOK 4, CHAPTER 6: DICTATORSHIP

If laws are too rigid and cannot adapt to circumstances, they can “bring about [...] the ruin of the state.” For instance, sometimes legal proceedings need to be sped up to deal with impending circumstances, and sometimes the sovereign needs to suspend institutions—but only in the “rare and obvious cases” when the nation’s security is severely threatened. If a stronger government is the solution, national security can be entrusted to “one or two members of the government,” but if “the apparatus of law itself” is what puts the nation in danger, then the nation needs “a supreme head” who will “silence all the laws and temporarily suspend the sovereign authority.” Although the sovereign people cannot make laws while the “supreme head” or dictator has power, its general will still guides the state, whose first priority is survival.

At different times, Rome used both these strategies, but Rousseau focuses on its use of dictatorship. Rome repeatedly appointed dictators in its early years, when nobody wanted to participate in government and it needed someone to take charge, but it failed to do this in its later years, when a dictator could have preserved the people’s freedom against a rogue government or easily stopped seditious conspiracies. Instead, it gave power to the consuls (chief magistrates), which was a problem because these consuls had to exceed their normal powers during the crisis, but then answer for this excess later. Rousseau emphasizes that dictatorship should never last longer than “one short term,” because it “becomes either tyrannical or useless” when there is no immediate crisis that needs resolution.

As with many other political terms throughout the book, Rousseau uses the word “dictator” in a way distant from its modern meaning: he is talking specifically about the Roman dictators, who were given absolute authority in the way he describes here. Where modern-day people would use the word “dictator”—to mean a government official who takes authoritarian control over the state—Rousseau uses the word “tyrant.” Rousseau’s argument in this chapter is quite remarkable and seems to contradict the core principles that have shaped this entire book so far. While he consistently defends the people’s absolute right to sovereignty over their own nation, here he argues that sometimes the sovereign ought to be suspended and a magistrate ought to take all power. He clarifies that this is only reasonable in very extreme situations, when the decisiveness of action is more important than its correctness, or possibly when the sovereign and government are corrupted. That said, the sovereign still retains the ultimate power that the dictator is serving, like any other government magistrate.



Rome’s use of dictators is very similar to how modern states can declare a state of emergency, and then give wide-ranging emergency powers to executives (usually the head of state, like a prime minister or a president). This kind of policy requires the sovereign to both trust profoundly in the judgment of a single individual and be relatively desperate for quick action to be taken. As the dictator can easily usurp the suspended sovereign’s power and turn into a tyrant, the appointment of dictators clearly should never be taken lightly. But Rome’s failure to use dictators properly shows how the sovereign has to adapt its strategies for implementing the general will depending on context: namely, when it knows that the government is dysfunctional, it must take decisive steps to take away that government’s power.



BOOK 4, CHAPTER 7: THE CENSORIAL TRIBUNAL

Rousseau explains that the censor is the office that measures public opinion and applies it to relevant cases. Public opinion matters because it reflects people's moral values, and both morality and public opinion can be shaped by good legislation. Thus, censors "may be useful in preserving morals, but never in restoring morals" after they are lost. They ensure that wise beliefs are not "corrupted" and help push the nation's culture forward. The Romans and Greeks expertly used censors to stop undesirable behavior through shame more effectively than the law could have through punishment—for instance, after "certain drunkards [...] defiled the tribunal," the censors publicly declared that those drunkards had "permission by public edict to be filthy."

Like his defense of dictatorship, Rousseau's praise for censorship is likely to be both controversial and misunderstood today. In fact, he also borrows this example directly from the example of the Roman Republic, in which the "censor" was a magistrate who both conducted the census and regulated the moral values of the public. This meant that the censor could publicly castigate people and strip them of their titles. These offices are separate now, but Rousseau makes it clear why they were united into a single post in Rome: the person who surveyed the population for the census could get an idea of where the public's moral values stood, and then use their powers as the censor to modify individuals' expression of that morality. His belief in the censor's importance again shows how a nation's public moral culture helps determine its citizens' attitudes and dedication toward the nation. In turn, since the nation's health and longevity rely on citizens' active participation in lawmaking, a strong moral culture can make a state more successful. However, Rousseau's defense of censorship also raises questions about whether he may consider moral culture more important than the basic freedoms citizens are supposed to retain when they agree to the social contract.



BOOK 4, CHAPTER 8: THE CIVIL RELIGION

Rousseau declares that the first states were religious (or *theocratic*) and every society had its own God, so "national divisions produced polytheism, [...] religious and civil intolerance." In these theocratic states, "political war was just as much theological war," and Gods only ruled over specific nations. Conversion and conquest, too, were one and the same: when Rome expanded, it spread its Gods, unifying different religions across its territory into a homogeneous form of paganism.

Rousseau previously made an analogy between religion and politics when he explained how lawgivers convince people to see themselves as a community and form a social contract. It only seems natural, then, that the first nations would have been religious in nature, and that political beliefs were the same as religious and moral beliefs. Since these values motivated people to fight wars, it becomes clear that they were the foundation of these early nations' political identities.



Christianity was unique in “separating the theological system from the political,” but it still had political effects, spreading “violent despotism” across the globe and leading to “an endless conflict of jurisdiction” between states and churches in Christian nations. “The clergy” is simultaneously legislative and executive, meaning that Christian countries have “two powers, two sovereigns.” Rousseau praises Hobbes for “reuniting” the church and state, but concludes that Christianity’s “dominant spirit” would put the prince’s interest before the state’s. While all states have been founded on religion, Rousseau concludes, “Christian law” does not foster “a robust constitution of the state.”

Rousseau resolves to analyze religion more closely. Religion takes two forms: people’s internal beliefs, or “the religion of the man,” and religion as an institutionalized social practice tied to the nation and codified through laws, or “the religion of the citizen.” Some religions create a mixed society with two different institutions acting as the state—the sovereign and the church—which Rousseau considers “so manifestly bad” that it is not worth taking seriously. “The religion of the citizen” is beneficial because it makes people worship the law and nation, but it is also “based on error and lies,” since it promotes ritual instead of virtue and drives people to commit horrible acts of “holy” violence.

Rousseau’s criticism of Christianity was bold for his age—indeed, it got him kicked out of both France and Switzerland. He ties the devastating effects of Christian imperialism, from the Crusades through colonialism, to the way it was deployed in political contexts, but he notes that this did not result from Christian doctrine itself (unlike the earlier nations’ conquests, which were inseparable from their religious beliefs). In this sense, when Rousseau talks about “separating the theological system from the political,” he means that Christianity made it possible for people to see a distinction between the state and the church (although these two institutions remained linked for many centuries). While this made it possible for people to think about statecraft and government in strictly secular terms for the first time, it also created an awkward division of powers, in which neither the church nor the state had clear authority (and neither of those institutions’ authority was, in Rousseau’s terms, legitimate).



Essentially, Rousseau’s “religion of the man” refers to individual religious practices that have no effect on people’s public lives: someone can pray, read a holy book, or believe whatever they want about the nature of God without this determining how they act in their capacity as a citizen. Since Christian churches represent this kind of religion and do not clearly direct people to take an interest in politics or invest in their communities, combining the church with the state creates the awkward mixed society that Rousseau considers “manifestly bad.” But Rousseau sees “the religion of the citizen,” while flawed, as nonetheless providing a roadmap for how a national culture can be developed, institutionalized, and used to make people actively fulfill their duties as citizens and members of the sovereign community. However, Rousseau implies in his critique of “holy” violence, citizens need to learn to worship and revere their own nation, rather than a god whom they believe their nation serves.



According to Rousseau, the true “religion of the man” is an ancient, “altogether different” form of Christianity, which considers everyone equal before God. But this Christianity focuses so much on spirituality that it would dissuade people from participating in politics. A hypothetical “society of true Christians” could not hold together, since people would only care about remaining morally pure—not about the “success of [their] deeds.” Malicious people could “exploit [their] pious compatriots” to seize power and wealth, and a Christian army would simply trust in God’s plan and be indifferent to victory or defeat (and so would be easily conquered). Christianity encourages “servitude and submission,” which creates the conditions for tyranny to form. “Christian troops” who fight in holy wars are not true Christians, but rather “soldiers of the priests”—in reality, true Christians would never fight a holy war.

Since the social contract can only obligate subjects to act when it is necessary for the public interest, the sovereign cannot control citizens’ personal religious beliefs. But it can and should establish a set of beliefs that good and loyal citizens must hold—anyone who does not believe in them can be “banish[ed] from the state,” and anyone who lies about believing in them can be “put to death.” These “articles” should include “positive dogmas” like believing in God’s existence, the rightness of rewarding good action and punishing evil action, and “the sanctity of the social contract and the law.” There should also be one “negative dogma,” which is “no intolerance.” Specifically, intolerance comes from religions that lead believers to see nonbelievers as “damned,” and such intolerant forms of religion should be banned.

BOOK 4, CHAPTER 9: CONCLUSION

Having explained “the true principles of political right” that can lead to the formation to a legitimate state, Rousseau declares that his next topic should be “foreign relations.” But this is too broad and complex for Rousseau, so he will not write about it here.

Rousseau distinguishes the Christians who live in his time from the “true Christians” who followed the religion in a more monastic, pious way. (Unsurprisingly, this also provoked ire among his contemporaries.) He notes that if these “true Christians” are entirely focused on their individual moral purity, not only will they never fight in a holy war, but they will also never get motivated to participate in politics. This means that Christianity cannot be the basis for a legitimate or free society. In fact, Rousseau seems to think that “true” Christianity undermines people’s inherent freedom and drive to self-preservation by teaching them to be passive and self-effacing. In contrast, a belief system adequate for citizens of the state must emphasize the importance of taking active responsibility for the well-being of the community and doing anything necessary to defend its unity.



Throughout The Social Contract, Rousseau has continually emphasized the importance of keeping citizens engaged in politics and motivated to pursue the general will through a culture of civic responsibility and shared moral values. This is what he was getting at the whole time: instead of dedicating themselves to religion, people should dedicate themselves to their nation. By creating a “civil religion” and institutionalizing participation in politics, a sovereign body can preemptively defend itself against corruption and attempts to usurp its power. Curiously, Rousseau includes the existence of God as one of his mandatory beliefs, and it is unclear whether this reflects his own Christianity or is simply an attempt to avoid scandalizing his opponents. Finally, Rousseau’s single “negative dogma” is paradoxical, because it means that a government should be intolerant of intolerance. However, this is necessary to prevent people from discounting other people’s humanity (by, for instance, calling them “damned”) and failing to consider their interests as part of the general will. In fact, this principle of tolerance has become a foundational idea of most contemporary liberal democracies.



The Social Contract ends casually and abruptly, with Rousseau summarizing his project and reiterating that his purpose has been to explain what theoretically would make a state legitimate, rather than analyze any existing nation.



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