I assume that men have reached a point at which the obstacles that endanger their preservation in the state of nature overcome by their resistance the forces which each individual can exert with a view to maintaining himself in that state. Then this primitive condition can no longer subsist, and the human race would perish unless it changed its mode of existence.

Now, as men cannot create any new forces, but only combine and direct those that exist, they have no other means of self-preservation than to form by aggregation a sum of forces which may overcome the resistance, to put them in action by a single motive power, and to make them work in concert.

This sum of forces can be produced only by the combination of many; but the strength and freedom of each man being the chief instruments of his preservation, how can he pledge them without injuring himself, and without neglecting the cares which he owes to himself? This difficulty, applied to my subject, may be expressed in these terms:

"To find a form of association which may defend and protect with the whole force of the community the person and property of every associate, and by means of which each, coalescing with all, may nevertheless obey only himself, and remain as free as before." Such is the fundamental problem of which the social contract furnishes the solution.

The clauses of this contract are so determined by the nature of the act that the slightest modification would render them vain and ineffectual; so that, although they have never perhaps been formally enunciated, they are everywhere the same, everywhere tacitly admitted and recognized, until, the social pact being violated, each man regains his original rights and recovers his natural liberty, while losing the conventional liberty for which he renounced it.

These clauses, rightly understood, are reducible to one only, viz., the total alienation to the whole community of each associate with all his rights; for, in the first place, since each gives himself up entirely, the conditions are equal for all; and, the conditions being equal for all, no one has any interest in making them burdensome to others.

Further, the alienation being made without reserve, the union is as perfect as it can be, and an individual associate can no longer claim anything; for, if any rights were left to individuals, since there would be no common superior who could judge between them and the public, each, being on some point his own judge, would soon claim to be so on all; the state of nature would still subsist, and the association would necessarily become tyrannical or useless.

In short, each giving himself to all, gives himself to nobody; and as there is not one associate over whom we do not acquire the same rights which we concede to him over ourselves, we gain the equivalent of all that we lose, and more power to preserve what we have.

If, then, we set aside what is not of the essence of the social contract, we shall find that it is reducible to the following terms: "Each of us puts in common his person and his whole power under the supreme direction of the general will; and in return we receive every member as an indivisible part of the whole."

Forthwith, instead of the individual personalities of all the contracting parties, this act of association produces a moral and collective body, which is composed of as many members as the assembly has voices, and which receives from this same act its unity, its common self (moi), its life, and its will. This public person, which is thus formed by the union of all the individual members, formerly took the name of city, and now takes that of republic or body politic, which is called by its members State when it is, passive, sovereign when it is active, power when it is compared to similar bodies. With regard to the associates, they take collectively the name of people, and are called individually citizens, as participating in the sovereign power, and subjects, as subjected to the laws of the State. But these terms are often confused and are mistaken one for another; it is sufficient to know how to distinguish them when they are used with complete precision.
BOOK I--CHAPTER VII. THE SOVEREIGN

... Now, the sovereign, being formed only of the individuals that compose it, neither has nor can have any interest contrary to theirs; consequently the sovereign power needs no guarantee to-wards its subjects, because it is impossible that the body should wish to injure all its members; and we shall see hereafter that it can injure no one as an individual. The sovereign, for the simple reason that it is so, is always everything that it ought to be.

But this is not the case as regards the relation of subjects to the sovereign, which, notwithstanding the common interest, would have no security for the performance of their engagements, unless it found means to ensure their fidelity.

Indeed, every individual may, as a man, have a particular will contrary to, or divergent from, the general will which he has as a citizen; his private interest may prompt him quite differently from the common interest; his absolute and naturally independent existence may make him regard what he owes to the common cause as a gratuitous contribution, the loss of which will be less harmful to others than the payment of it will be burdensome to him; and, regarding the moral person that constitutes the State as an imaginary being because it is not a man, he would be willing to enjoy the rights of a citizen without being willing to fulfill the duties of a subject. The progress of such injustice would bring about the ruin of the body politic.

In order, then, that the social pact may not be a vain formulary, it tacitly includes this engagement, which can alone give force to the others—that whoever refuses to obey the general will shall be constrained to do so by the whole body; which means nothing else than that he shall be forced to be free; for such is the condition which, uniting every citizen to his native land, guarantees him from all personal dependence a condition that ensures the control and working of the political machine, and alone renders legitimate civil engagements, which without it, would be absurd and tyrannical, and subject to the most enormous abuses.

BOOK II--CHAPTER III. WHETHER THE GENERAL WILL CAN ERR

It follows from what precedes that the general will is always right and always tends to the public advantage; but it does not follow that the resolutions of the people have always the same rectitude. Men always desire their own good, but do not always discern it; the people are never corrupted, though often deceived, and it is only then that they seem to will what is evil.

There is often a great deal of difference between the will of all and the general will; the latter regards only the common interest, while the former has regard to private interests, and is merely a sum of particular wills; but take away from these same wills the pluses and minuses which cancel one another, and the general will remains as the sum of the differences.

If the people came to a resolution when adequately informed and without any communication among the citizens, the general will would always result from the great number of slight differences, and the resolution would always be good. But when factions, partial associations, are formed to the detriment of the whole society, the will of each of these associations becomes general with reference to its members, and particular with reference to the State; it may then be said that there are no longer as many voters as there are men, but only as many voters as there are associations. The differences become less numerous and yield a less general result. Lastly, when one of these associations becomes so great that it predominares over all the rest, you no longer have as the result a sum of small differences, but a single difference; there is then no longer a general will, and the opinion which prevails is only a particular opinion.

It is important, then, in order to have a clear declaration of the general will, that there should be no partial association in the State, and that every citizen should express only his own opinion. Such was the unique and sublime institution of the great Lycurgus. But if there are partial associations, it is necessary to multiply their number and prevent inequality, as Solon, Numa, and Servius did. These are the only proper precautions for ensuring that the general will may always be enlightened, and that the people may not be deceived.

BOOK II--CHAPTER VI. THE LAW
By the social compact we have given existence and life to the body politic; the question now is to endow it with movement and will by legislation. For the original act by which this body is formed and consolidated determines nothing in addition as to what it must do for its own preservation.

What is right and conformable to order is such by the nature of things, and independently of human conventions. All justice comes from God, He alone is the source of it; but could we receive it direct from so lofty a source, we should need neither government nor laws. Without doubt there is a universal justice emanating from reason alone; but this justice, in order to be admitted among us, should be reciprocal. Regarding things from a human stand-point, the laws of justice are inoperative among men for want of a natural sanction; they only bring good to the wicked and evil to the just when the latter observe them with every one, and no one observes them in return. Conventions and laws, then, are necessary to couple rights with duties and apply justice to its object. In the state of nature, where everything is in common, I owe nothing to those to whom I have promised nothing; I recognize as belonging to others only what is useless to me. This is not the case in the civil state, in which all rights are determined by law.

But then, finally, what is a law? So long as men are content to attach to this word only metaphysical ideas, they will continue to argue without being understood; and when they have stated what a law of nature is, they will know no better what a law of the State is.

I have already said that there is no general will with reference to a particular object. In fact, this particular object is either in the State or outside of it. If it is outside the State, a will which is foreign to it is not general in relation to it; and if it is within the State, it forms part of it; then there is formed between the whole and its part a relation which makes of it two separate beings, of which the part is one, and the whole, less this same part, is the other. But the whole less one part is not the whole, and so long as the relation subsists, there is no longer any whole, but two unequal parts; whence it follows that the will of the one is no longer general in relation to the other.

But when the whole people decree concerning the whole people, they consider themselves alone; and if a relation is then constituted, it is between the whole object under one point of view and the whole object under another point of view, without any division at all. Then the matter respecting which they decree is general like the will that decrees. It is this act that I call a law.

When I say that the object of the laws is always general, I mean that the law considers subjects collectively, and actions as abstract, never a man as an individual nor a particular action. Thus the law may indeed decree that there shall be privileges, but cannot confer them on any person by name; the law can create several classes of citizens, and even assign the qualifications which shall entitle them to rank in these classes, but it cannot nominate such and such persons to be admitted to them; it can establish a royal government and a hereditary succession, but cannot elect a king or appoint a royal family; in a word, no function which has reference to an individual object appertains to the legislative power.

From this standpoint we see immediately that it is no longer necessary to ask whose office it is to make laws, since they are acts of the general will; nor whether the prince is above the laws, since he is a member of the State; nor whether the law can be unjust, since no one is unjust to himself; nor how we are free and yet subject to the laws, since the laws are only registers of our wills.

We see, further, that since the law combines the universality of the will with the universality of the object, whatever any man prescribes on his own authority is not a law; and whatever the sovereign itself prescribes respecting a particular object is not a law, but a decree, not an act of sovereignty, but of magistracy.

I therefore call any State a republic which is governed by laws, under whatever form of administration it may be; for then only does the public interest predominate and the commonwealth count for something. Every legitimate government is republican [that is, directed by the general will]; I will explain hereafter what government is.

Laws are properly only the conditions of civil associations. The people, being subjected to the laws, should be the authors of them; it concerns only the associates to determine the conditions of association. But how will they be determined? Will it be by a common agreement, by a sudden inspiration? Has the body politic an organ for expressing its will? Who will give it
the foresight necessary to frame its acts and publish them at the outset? Or how shall it declare them in the hour of need? How would a blind multitude, which often knows not what it wishes because it rarely knows what is good for it, execute of itself an enterprise so great, so difficult, as a system of legislation? Of themselves, the people always desire what is good, but do not always discern it. The general will is always right, but the judgment which guides it is not always enlightened. It must be made to see objects as they are, sometimes as they ought to appear; it must be shown the good path that it is seeking, and guarded from the seduction of private interests; it must be made to observe closely times and places, and to balance the attraction of immediate and palpable advantages against the danger of remote and concealed evils. Individuals see the good which they reject; the public desire the good which they do not see. All alike have need of guides. The former must be compelled to conform their wills to their reason; the people must be taught to know what they require. Then from the public enlightenment results the union of the understanding and the will in the social body; and from that the close cooperation of the parts, and, lastly, the maximum power of the whole. Hence arises the need of a lawgiver.

BOOK II—CHAPTER VII. THE LAWGIVER

In order to discover the rules of association that are most suitable to nations, a superior intelligence would be necessary who could see all the passions of men without experiencing any of them; who would have no affinity with our nature and yet know it thoroughly; whose happiness would not depend on us, and who would nevertheless be quite willing to interest himself in ours; and, lastly, one who, storing up for himself with the progress of time a far-off glory in the future, could labor in one age and enjoy in another. Gods would be necessary to give laws to men.

The same argument that Caligula adduced as to fact, Plato put forward with regard to right, in order to give an idea of the civil or royal man whom he is in quest of in his work the Statesman. But if it is true that a great prince is a rare man, what will a great lawgiver be? The first has only to follow the model which the other has to frame. The latter is the mechanician who invents the machine, the former is only the workman who puts it in readiness and works it. "In the birth of societies," says Montesquieu, "it is the chiefs of the republics who frame the institutions, and after-wards it is the institutions which mold the chiefs of the republics."

He who dares undertake to give institutions to a nation ought to feel himself capable, as it were, of changing human nature; of transforming every individual, who in himself is a complete and independent whole, into part of a greater whole, from which he receives in some manner his life and his being; of altering man's constitution in order to strengthen it; of substituting a social and moral existence for the independent and physical existence which we have all received from nature. In a word, it is necessary to deprive man of his native powers in order to endow him with some which are alien to him, and of which he cannot make use without the aid of other people. The more thoroughly those natural powers are deadened and destroyed, the greater and more durable are the acquired powers, the more solid and perfect also are the institutions; so that if every citizen is nothing, and can be nothing, except in combination with all the rest, and if the force acquired by the whole be equal or superior to the sum of the natural forces of all the individuals, we may say that legislation is at the highest point of perfection which it can attain.

The lawgiver is in all respects an extraordinary man in the State. If he ought to be so by his genius, he is not less so by his office. It is not magistracy nor sovereignty. This office, which constitutes the republic, does not enter into its constitution; it is a special and superior office, having nothing in common with human government; for, if he who rules men ought not to control legislation, he who controls legislation ought not to rule men; otherwise his laws, being ministers of his passions, would often serve only to perpetuate his acts of injustice; he would never be able to prevent private interests from corrupting the sacredness of his work.

When Lycurgus gave laws to his country [Sparta], he began by abdicating his royalty. It was the practice of the majority of the Greek towns to entrust to foreigners the framing of their laws. The modern republics of Italy often imitated this usage; that of Geneva did the same and found it advantageous. Rome, at her most glorious epoch, saw all the crimes of tyranny spring up in her bosom, and saw herself on the verge of destruction, through uniting in the same hands legislative authority and sovereign power.

Yet the Decemvirs themselves never arrogated the right to pass any law on their sole authority. Nothing that we propose to you, they said to the people, can pass into law without your consent. Romans, be yourselves the authors of the laws which
are to secure your happiness lie who frames laws, then, has, or ought to have, no legislative right, and the people themselves cannot, even if they wished, divest themselves of this incommunicable right, because, according to the fundamental compact, it is only the general will that binds individuals, and we can never be sure that a particular will is conformable to the general will until it has been submitted to the free votes of the people. I have said this already, but it is not useless to repeat it.

Thus we find simultaneously in the work of legislation two things that seem incompatible—an enterprise surpassing human powers, and, to execute it, an authority that is a mere nothing.

Another difficulty deserves attention. Wise men who want to speak to the vulgar in their own language instead of in a popular way will not be understood. Now, there are a thousand kinds of ideas which it is impossible to translate into the language of the people. Views very general and objects very remote are alike beyond its reach; and each individual, approving of no other plan of government than that which promotes his own interests, does not readily perceive the benefits that he is to derive from the continual deprivations which good laws impose. In order that a newly formed nation might approve sound maxims of politics and observe the fundamental rules of state-policy, it would be necessary that the effect should become the cause; that the social spirit, which should be the work of the institution, should preside over the institution itself, and that men should be, prior to the laws, what they ought to become by means of them. Since, then, the lawgiver cannot employ either force or reasoning, he must needs have recourse to an authority of a different order, which can compel without violence and persuade without convincing.

It is this which in all ages has constrained the founders of nations to resort to the intervention of heaven, and to give the gods the credit for their own wisdom, in order that the nations, subjected to the laws of the State as to those of nature, and recognizing the same power in the formation of man and in that of the State, might obey willingly, and bear submissively the yoke of the public welfare.

The lawgiver puts into the mouths of the immortals that sublime reason which soars beyond the reach of common men, in order that he may win over by divine authority those whom human prudence could not move. But it does not belong to every man to make the gods his oracles, nor to be believed when he proclaims himself their interpreter. The great soul of the lawgiver is the real miracle which must give proof of his mission. Any man can engrave tables of stone, or bribe an oracle, or pretend secret intercourse with some divinity, or train a bird to speak in his ear, or find some other clumsy means to impose on the people. He who is acquainted with such means only will perchance be able to assemble a crowd of foolish persons; but he will never found an empire, and his extravagant work will speedily perish with him. Empty deceptions form but a transient bond; it is only wisdom that makes it lasting. The Jewish law, which still endures, and that of the child of Ishmael [in other words, Islamic law], which for ten centuries has ruled half the world, still bear witness today to the great men who dictated them; and while proud philosophy or blind party spirit sees in them nothing but fortunate impostors, the true statesman admires in their systems the great and powerful genius which directs durable institutions.