

Jean-Jacques Rousseau

BASIC POLITICAL WRITINGS

Second Edition

Discourse on the Sciences and the Arts

Discourse on the Origin and Foundations of Inequality among Men

Discourse on Political Economy

On the Social Contract

The State of War

Translated and Edited by
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Introduction and New Annotation by
David Wootton

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Chapter 7
On the Sovereign

This formula shows that the act of association includes a reciprocal commitment between the public and private individuals, and that each individual, contracting, as it were, with himself, finds himself under a twofold commitment, namely, as a member of the sovereign toward private individuals, and as a member of the state toward the sovereign. But the maxim of civil law that no one is held to commitments made to himself cannot be applied here, for there is a considerable difference between being obligated to oneself or to a whole of which one is a part.

It must be further noted that the public deliberation that can obligate all the subjects to the sovereign, owing to the two different relationships in which each of them is viewed, cannot, for the opposite reason, obligate the sovereign to itself and that consequently it is contrary to the nature of the

therefore moral persons. This translation reproduces Rousseau's terminology, but one could often simply substitute "artificial" in order to grasp his sense.]

²⁸ The true meaning of this word is almost entirely lost on modern men. Most of them mistake a town for a city and a townsman for a citizen. They do not know that houses make a town but citizens make a city. Once this mistake cost the Carthaginians dearly. I have not found in my reading that the title of *citizen* has ever been given to the subjects of a prince, not even in ancient times to the Macedonians or in our own time to the English, although they are closer to liberty than all the others. Only the French adopt this name *citizen* with complete familiarity, since they have no true idea of its meaning, as can be seen from their dictionaries. If this were not the case, they would become guilty of treason for using it. For them, this name expresses a virtue and not a right. When Bodin wanted to speak about our citizens and townsmen, he committed a terrible blunder, for he mistook the one group for the other. Mr. d'Alembert was not in error, and in his article titled "Geneva" he has carefully distinguished the four orders of men (even five, counting ordinary foreigners) who are in our town [i.e., Geneva], and of whom only two make up the republic. No other French author I am aware of has grasped the true meaning of the word *citizen*. [Cf. Jean Bodin, *The Six Books of the Republic*, bk. 1, ch. 6.]

body politic that the sovereign impose upon itself a law it could not break. Since the sovereign can be considered under but one single relationship, it is then in the position of a private individual contracting with himself. Whence it is apparent that there neither is nor can be any type of fundamental law that is obligatory for the people as a body, not even the social contract.²⁹ This does not mean that the whole-body cannot perfectly well commit itself to another body with respect to things that do not infringe on this contract. For in regard to the foreigner, it becomes a simple being, an individual.

However, since the body politic or the sovereign derives its being exclusively from the sanctity of the contract, it can never obligate itself, not even to another power, to do anything that derogates from the original act, such as alienating some portion of itself or submitting to another sovereign. Violation of the act whereby it exists would be self-annihilation, and whatever is nothing produces nothing.

As soon as this multitude is thus united in a body, one cannot harm one of the members without attacking the whole body. It is even less possible that the body can be harmed without the members feeling it. Thus duty and interest equally obligate the two contracting parties to come to one another's aid, and the same men should seek to combine in this twofold relationship all the advantages that result from it.

For since the sovereign is formed entirely from the private individuals who make it up, it neither has nor could have an interest contrary to theirs. Hence, the sovereign power has no need to offer a guarantee to its subjects, since it is impossible for a body to want to harm all of its members, and, as we will see later, it cannot harm any one of them in particular. The sovereign, by the mere fact that it exists, is always all that it should be.

But the same thing cannot be said of the subjects in relation to the sovereign, for whom, despite their common interest, their commitments would be without substance if it did not find ways of being assured of their fidelity.

In fact, each individual can, as a man, have a private will contrary to or different from the general will that he has as a citizen. His private interest can speak to him in an entirely different manner than the common interest. His absolute and naturally independent existence can cause him to envisage what he owes the common cause as a gratuitous contribution, the loss of which will be less harmful to others than its payment is burdensome to him. And in viewing the moral person that constitutes the state as a theoretical entity³⁰ because it is not a man, he would enjoy the rights of a citizen without wanting

²⁹ [It is this argument, which undermines the notion of a constitution that must be preserved and respected, that led to Rousseau's book being condemned by the government of Geneva as destructive of all systems of government.]

³⁰ [Rousseau's term is *être de raison*, which corresponds to the scholastic *ens rationis*. Eighteenth-century dictionaries distinguish *êtres de raison* from *êtres réels*. This particular person—Tom Smith—or this particular dog—Fido—is real; humankind or the domesticated dog is an abstraction or *être de raison*.]

to fulfill the duties of a subject, an injustice whose growth would bring about the ruin of the body politic.

Thus, in order for the social compact to avoid being an empty formula, it tacitly entails the commitment—which alone can give force to the others—that whoever refuses to obey the general will, will be forced to do so by the entire body. This means merely that he will be forced to be free. For it is this condition that, by giving each citizen to the homeland, guarantees him against all personal dependence, this condition that produces the skill and the performance of the political machine and that alone bestows legitimacy upon civil commitments: Without it, such commitments would be absurd, tyrannical, and subject to the worst abuses.