

Jean-Jacques Rousseau

The Social Contract

BOOK III

BEFORE speaking of the different forms of government, let us try to fix the exact sense of the word, which has not yet been very clearly explained.

1. GOVERNMENT IN GENERAL

I WARN the reader that this chapter requires careful reading, and that I am unable to make myself clear to those who refuse to be attentive. Every free action is produced by the concurrence of two causes; one moral, i.e., the will which determines the act; the other physical, i.e., the power which executes it. When I walk towards an object, it is necessary first that I should will to go there, and, in the second place, that my feet should carry me. If a paralytic wills to run and an active man wills not to, they will both stay where they are. The body politic has the same motive powers; here too force and will are distinguished, will under the name of legislative power and force under that of executive power. Without their concurrence, nothing is, or should be, done.

We have seen that the legislative power belongs to the people, and can belong to it alone. It may, on the other hand, readily be seen, from the principles laid down above, that the executive power cannot belong to the generality as legislature or Sovereign, because it consists wholly of particular acts which fall outside the competency of the law, and consequently of the Sovereign, whose acts must always be laws.

The public force therefore needs an agent of its own to bind it together and set it to work under the direction of the general will, to serve as a means of communication between the State and the Sovereign, and to do for the collective person more or less what the union of soul and body does for man. Here we have what is, in the State, the basis of government, often wrongly confused with the Sovereign, whose minister it is.

What then is government? An intermediate body set up between the subjects and the Sovereign, to secure their mutual correspondence, charged with the execution of the laws and the maintenance of liberty, both civil and political.

The members of this body are called magistrates or kings, that is to say governors, and the whole body bears the name prince.^[18] Thus those who hold that the act, by which a people puts itself under a prince, is not a contract, are certainly right. It is simply and solely a commission, an

employment, in which the rulers, mere officials of the Sovereign, exercise in their own name the power of which it makes them depositaries. This power it can limit, modify or recover at pleasure; for the alienation of such a right is incompatible with the nature of the social body, and contrary to the end of association.

I call then government, or supreme administration, the legitimate exercise of the executive power, and prince or magistrate the man or the body entrusted with that administration.

In government reside the intermediate forces whose relations make up that of the whole to the whole, or of the Sovereign to the State. This last relation may be represented as that between the extreme terms of a continuous proportion, which has government as its mean proportional. The government gets from the Sovereign the orders it gives the people, and, for the State to be properly balanced, there must, when everything is reckoned in, be equality between the product or power of the government taken in itself, and the product or power of the citizens, who are on the one hand sovereign and on the other subject.

Furthermore, none of these three terms can be altered without the equality being instantly destroyed. If the Sovereign desires to govern, or the magistrate to give laws, or if the subjects refuse to obey, disorder takes the place of regularity, force and will no longer act together, and the State is dissolved and falls into despotism or anarchy. Lastly, as there is only one mean proportional between each relation, there is also only one good government possible for a State. But, as countless events may change the relations of a people, not only may different governments be good for different peoples, but also for the same people at different times.

In attempting to give some idea of the various relations that may hold between these two extreme terms, I shall take as an example the number of a people, which is the most easily expressible.

Suppose the State is composed of ten thousand citizens. The Sovereign can only be considered collectively and as a body; but each member, as being a subject, is regarded as an individual: thus the Sovereign is to the subject as ten thousand to one, i.e., each member of the State has as his share only a ten-thousandth part of the sovereign authority, although he is wholly under its control. If the people numbers a hundred thousand, the condition of the subject undergoes no change, and each equally is under the whole authority of the laws, while his vote, being reduced to a hundred-thousandth part, has ten times less influence in drawing them up. The subject therefore remaining always a unit, the relation between him and the Sovereign increases with the number of the citizens. From this it follows that, the larger the State, the less the liberty.

When I say the relation increases, I mean that it grows more unequal. Thus the greater it is in the geometrical sense, the less relation there is in the ordinary sense of the word. In the former sense, the relation,

considered according to quantity, is expressed by the quotient; in the latter, considered according to identity, it is reckoned by similarity.

Now, the less relation the particular wills have to the general will, that is, morals and manners to laws, the more should the repressive force be increased. The government, then, to be good, should be proportionately stronger as the people is more numerous.

On the other hand, as the growth of the State gives the depositaries of the public authority more temptations and chances of abusing their power, the greater the force with which the government ought to be endowed for keeping the people in hand, the greater too should be the force at the disposal of the Sovereign for keeping the government in hand. I am speaking, not of absolute force, but of the relative force of the different parts of the State.

It follows from this double relation that the continuous proportion between the Sovereign, the prince and the people, is by no means an arbitrary idea, but a necessary consequence of the nature of the body politic. It follows further that, one of the extreme terms, viz., the people, as subject, being fixed and represented by unity, whenever the duplicate ratio increases or diminishes, the simple ratio does the same, and is changed accordingly. From this we see that there is not a single unique and absolute form of government, but as many governments differing in nature as there are States differing in size.

If, ridiculing this system, any one were to say that, in order to find the mean proportional and give form to the body of the government, it is only necessary, according to me, to find the square root of the number of the people, I should answer that I am here taking this number only as an instance; that the relations of which I am speaking are not measured by the number of men alone, but generally by the amount of action, which is a combination of a multitude of causes; and that, further, if, to save words, I borrow for a moment the terms of geometry, I am none the less well aware that moral quantities do not allow of geometrical accuracy.

The government is on a small scale what the body politic which includes it is on a great one. It is a moral person endowed with certain faculties, active like the Sovereign and passive like the State, and capable of being resolved into other similar relations. This accordingly gives rise to a new proportion, within which there is yet another, according to the arrangement of the magistracies, till an indivisible middle term is reached, i.e., a single ruler or supreme magistrate, who may be represented, in the midst of this progression, as the unity between the fractional and the ordinal series.

Without encumbering ourselves with this multiplication of terms, let us rest content with regarding government as a new body within the State, distinct from the people and the Sovereign, and intermediate between them.

There is between these two bodies this essential difference, that the State exists by itself, and the government only through the Sovereign. Thus the dominant will of the prince is, or should be, nothing but the general will or the law; his force is only the public force concentrated in his hands, and, as soon as he tries to base any absolute and independent act on his own authority, the tie that binds the whole together begins to be loosened. If finally the prince should come to have a particular will more active than the will of the Sovereign, and should employ the public force in his hands in obedience to this particular will, there would be, so to speak, two Sovereigns, one rightful and the other actual, the social union would evaporate instantly, and the body politic would be dissolved.

However, in order that the government may have a true existence and a real life distinguishing it from the body of the State, and in order that all its members may be able to act in concert and fulfil the end for which it was set up, it must have a particular personality, a sensibility common to its members, and a force and will of its own making for its preservation. This particular existence implies assemblies, councils, power and deliberation and decision, rights, titles, and privileges belonging exclusively to the prince and making the office of magistrate more honourable in proportion as it is more troublesome. The difficulties lie in the manner of so ordering this subordinate whole within the whole, that it in no way alters the general constitution by affirmation of its own, and always distinguishes the particular force it possesses, which is destined to aid in its preservation, from the public force, which is destined to the preservation of the State; and, in a word, is always ready to sacrifice the government to the people, and never to sacrifice the people to the government.

Furthermore, although the artificial body of the government is the work of another artificial body, and has, we may say, only a borrowed and subordinate life, this does not prevent it from being able to act with more or less vigour or promptitude, or from being, so to speak, in more or less robust health. Finally, without departing directly from the end for which it was instituted, it may deviate more or less from it, according to the manner of its constitution.

From all these differences arise the various relations which the government ought to bear to the body of the State, according to the accidental and particular relations by which the State itself is modified, for often the government that is best in itself will become the most pernicious, if the relations in which it stands have altered according to the defects of the body politic to which it belongs.

2. THE CONSTITUENT PRINCIPLE IN THE VARIOUS FORMS OF GOVERNMENT

TO set forth the general cause of the above differences, we must here distinguish between government and its principle, as we did before between the State and the Sovereign.

The body of the magistrate may be composed of a greater or a less number of members. We said that the relation of the Sovereign to the subjects was greater in proportion as the people was more numerous, and, by a clear analogy, we may say the same of the relation of the government to the magistrates.

But the total force of the government, being always that of the State, is invariable; so that, the more of this force it expends on its own members, the less it has left to employ on the whole people.

The more numerous the magistrates, therefore, the weaker the government. This principle being fundamental, we must do our best to make it clear.

In the person of the magistrate we can distinguish three essentially different wills: first, the private will of the individual, tending only to his personal advantage; secondly, the common will of the magistrates, which is relative solely to the advantage of the prince, and may be called corporate will, being general in relation to the government, and particular in relation to the State, of which the government forms part; and, in the third place, the will of the people or the sovereign will, which is general both in relation to the State regarded as the whole, and to the government regarded as a part of the whole.

In a perfect act of legislation, the individual or particular will should be at zero; the corporate will belonging to the government should occupy a very subordinate position; and, consequently, the general or sovereign will should always predominate and should be the sole guide of all the rest.

According to the natural order, on the other hand, these different wills become more active in proportion as they are concentrated. Thus, the general will is always the weakest, the corporate will second, and the individual will strongest of all: so that, in the government, each member is first of all himself, then a magistrate, and then a citizen — in an order exactly the reverse of what the social system requires.

This granted, if the whole government is in the hands of one man, the particular and the corporate will are wholly united, and consequently the latter is at its highest possible degree of intensity. But, as the use to which the force is put depends on the degree reached by the will, and as the absolute force of the government is invariable, it follows that the most active government is that of one man.

Suppose, on the other hand, we unite the government with the legislative authority, and make the Sovereign prince also, and all the

citizens so many magistrates: then the corporate will, being confounded with the general will, can possess no greater activity than that will, and must leave the particular will as strong as it can possibly be. Thus, the government, having always the same absolute force, will be at the lowest point of its relative force or activity.

These relations are incontestable, and there are other considerations which still further confirm them. We can see, for instance, that each magistrate is more active in the body to which he belongs than each citizen in that to which he belongs, and that consequently the particular will has much more influence on the acts of the government than on those of the Sovereign; for each magistrate is almost always charged with some governmental function, while each citizen, taken singly, exercises no function of Sovereignty. Furthermore, the bigger the State grows, the more its real force increases, though not in direct proportion to its growth; but, the State remaining the same, the number of magistrates may increase to any extent, without the government gaining any greater real force; for its force is that of the State, the dimension of which remains equal. Thus the relative force or activity of the government decreases, while its absolute or real force cannot increase.

Moreover, it is a certainty that promptitude in execution diminishes as more people are put in charge of it: where prudence is made too much of, not enough is made of fortune; opportunity is let slip, and deliberation results in the loss of its object.

I have just proved that the government grows remiss in proportion as the number of the magistrates increases; and I previously proved that, the more numerous the people, the greater should be the repressive force. From this it follows that the relation of the magistrates to the government should vary inversely to the relation of the subjects to the Sovereign; that is to say, the larger the State, the more should the government be tightened, so that the number of the rulers diminish in proportion to the increase of that of the people.

It should be added that I am here speaking of the relative strength of the government, and not of its rectitude: for, on the other hand, the more numerous the magistracy, the nearer the corporate will comes to the general will; while, under a single magistrate, the corporate will is, as I said, merely a particular will. Thus, what may be gained on one side is lost on the other, and the art of the legislator is to know how to fix the point at which the force and the will of the government, which are always in inverse proportion, meet in the relation that is most to the advantage of the State.

3. THE DIVISION OF GOVERNMENTS

WE saw in the last chapter what causes the various kinds or forms of government to be distinguished according to the number of the members composing them: it remains in this to discover how the division is made.

In the first place, the Sovereign may commit the charge of the government to the whole people or to the majority of the people, so that more citizens are magistrates than are mere private individuals. This form of government is called democracy.

Or it may restrict the government to a small number, so that there are more private citizens than magistrates; and this is named aristocracy.

Lastly, it may concentrate the whole government in the hands of a single magistrate from whom all others hold their power. This third form is the most usual, and is called monarchy, or royal government.

It should be remarked that all these forms, or at least the first two, admit of degree, and even of very wide differences; for democracy may include the whole people, or may be restricted to half. Aristocracy, in its turn, may be restricted indefinitely from half the people down to the smallest possible number. Even royalty is susceptible of a measure of distribution. Sparta always had two kings, as its constitution provided; and the Roman Empire saw as many as eight emperors at once, without it being possible to say that the Empire was split up. Thus there is a point at which each form of government passes into the next, and it becomes clear that, under three comprehensive denominations, government is really susceptible of as many diverse forms as the State has citizens.

There are even more: for, as the government may also, in certain aspects, be subdivided into other parts, one administered in one fashion and one in another, the combination of the three forms may result in a multitude of mixed forms, each of which admits of multiplication by all the simple forms.

There has been at all times much dispute concerning the best form of government, without consideration of the fact that each is in some cases the best, and in others the worst.

If, in the different States, the number of supreme magistrates should be in inverse ratio to the number of citizens, it follows that, generally, democratic government suits small States, aristocratic government those of middle size, and monarchy great ones. This rule is immediately deducible from the principle laid down. But it is impossible to count the innumerable circumstances which may furnish exceptions.

4. DEMOCRACY

HE who makes the law knows better than any one else how it should be executed and interpreted. It seems then impossible to have a better constitution than that in which the executive and legislative powers are united; but this very fact renders the government in certain respects inadequate, because things which should be distinguished are confounded, and the prince and the Sovereign, being the same person, form, so to speak, no more than a government without government.

It is not good for him who makes the laws to execute them, or for the body of the people to turn its attention away from a general standpoint and devote it to particular objects. Nothing is more dangerous than the influence of private interests in public affairs, and the abuse of the laws by the government is a less evil than the corruption of the legislator, which is the inevitable sequel to a particular standpoint. In such a case, the State being altered in substance, all reformation becomes impossible, A people that would never misuse governmental powers would never misuse independence; a people that would always govern well would not need to be governed.

If we take the term in the strict sense, there never has been a real democracy, and there never will be. It is against the natural order for the many to govern and the few to be governed. It is unimaginable that the people should remain continually assembled to devote their time to public affairs, and it is clear that they cannot set up commissions for that purpose without the form of administration being changed.

In fact, I can confidently lay down as a principle that, when the functions of government are shared by several tribunals, the less numerous sooner or later acquire the greatest authority, if only because they are in a position to expedite affairs, and power thus naturally comes into their hands.

Besides, how many conditions that are difficult to unite does such a government presuppose! First, a very small State, where the people can readily be got together and where each citizen can with ease know all the rest; secondly, great simplicity of manners, to prevent business from multiplying and raising thorny problems; next, a large measure of equality in rank and fortune, without which equality of rights and authority cannot long subsist; lastly, little or no luxury — for luxury either comes of riches or makes them necessary; it corrupts at once rich and poor, the rich by possession and the poor by covetousness; it sells the country to softness and vanity, and takes away from the State all its citizens, to make them slaves one to another, and one and all to public opinion.

This is why a famous writer has made virtue the fundamental principle of Republics;E1 for all these conditions could not exist without virtue. But, for want of the necessary distinctions, that great thinker was

often inexact, and sometimes obscure, and did not see that, the sovereign authority being everywhere the same, the same principle should be found in every well-constituted State, in a greater or less degree, it is true, according to the form of the government.

It may be added that there is no government so subject to civil wars and intestine agitations as democratic or popular government, because there is none which has so strong and continual a tendency to change to another form, or which demands more vigilance and courage for its maintenance as it is. Under such a constitution above all, the citizen should arm himself with strength and constancy, and say, every day of his life, what a virtuous Count Palatine[19] said in the Diet of Poland: *Malo periculosam libertatem quam quietum servitium*. [20]

Were there a people of gods, their government would be democratic. So perfect a government is not for men.

5. ARISTOCRACY

WE have here two quite distinct moral persons, the government and the Sovereign, and in consequence two general wills, one general in relation to all the citizens, the other only for the members of the administration. Thus, although the government may regulate its internal policy as it pleases, it can never speak to the people save in the name of the Sovereign, that is, of the people itself, a fact which must not be forgotten.

The first societies governed themselves aristocratically. The heads of families took counsel together on public affairs. The young bowed without question to the authority of experience. Hence such names as priests, elders, senate, and gerontes. The savages of North America govern themselves in this way even now, and their government is admirable.

But, in proportion as artificial inequality produced by institutions became predominant over natural inequality, riches or power [21] were put before age, and aristocracy became elective. Finally, the transmission of the father's power along with his goods to his children, by creating patrician families, made government hereditary, and there came to be senators of twenty.

There are then three sorts of aristocracy — natural, elective and hereditary. The first is only for simple peoples; the third is the worst of all governments; the second is the best, and is aristocracy properly so called.

Besides the advantage that lies in the distinction between the two powers, it presents that of its members being chosen; for, in popular government, all the citizens are born magistrates; but here magistracy is confined to a few, who become such only by election. [22] By this means uprightness, understanding, experience and all other claims to pre-

eminence and public esteem become so many further guarantees of wise government.

Moreover, assemblies are more easily held, affairs better discussed and carried out with more order and diligence, and the credit of the State is better sustained abroad by venerable senators than by a multitude that is unknown or despised.

In a word, it is the best and most natural arrangement that the wisest should govern the many, when it is assured that they will govern for its profit, and not for their own. There is no need to multiply instruments, or get twenty thousand men to do what a hundred picked men can do even better. But it must not be forgotten that corporate interest here begins to direct the public power less under the regulation of the general will, and that a further inevitable propensity takes away from the laws part of the executive power.

If we are to speak of what is individually desirable, neither should the State be so small, nor a people so simple and upright, that the execution of the laws follows immediately from the public will, as it does in a good democracy. Nor should the nation be so great that the rulers have to scatter in order to govern it and are able to play the Sovereign each in his own department, and, beginning by making themselves independent, end by becoming masters.

But if aristocracy does not demand all the virtues needed by popular government, it demands others which are peculiar to itself; for instance, moderation on the side of the rich and contentment on that of the poor; for it seems that thorough-going equality would be out of place, as it was not found even at Sparta.

Furthermore, if this form of government carries with it a certain inequality of fortune, this is justifiable in order that as a rule the administration of public affairs may be entrusted to those who are most able to give them their whole time, but not, as Aristotle maintains, in order that the rich may always be put first. On the contrary, it is of importance that an opposite choice should occasionally teach the people that the deserts of men offer claims to pre-eminence more important than those of riches.

6. MONARCHY

So far, we have considered the prince as a moral and collective person, unified by the force of the laws, and the depositary in the State of the executive power. We have now to consider this power when it is gathered together into the hands of a natural person, a real man, who alone has the right to dispose of it in accordance with the laws. Such a person is called a monarch or king.

In contrast with other forms of administration, in which a collective being stands for an individual, in this form an individual stands for a collective being; so that the moral unity that constitutes the prince is at the same time a physical unity, and all the qualities, which in the other case are only with difficulty brought together by the law, are found naturally united.

Thus the will of the people, the will of the prince, the public force of the State, and the particular force of the government, all answer to a single motive power; all the springs of the machine are in the same hands, the whole moves towards the same end; there are no conflicting movements to cancel one another, and no kind of constitution can be imagined in which a less amount of effort produces a more considerable amount of action. Archimedes, seated quietly on the bank and easily drawing a great vessel afloat, stands to my mind for a skilful monarch, governing vast states from his study, and moving everything while he seems himself unmoved.

But if no government is more vigorous than this, there is also none in which the particular will holds more sway and rules the rest more easily. Everything moves towards the same end indeed, but this end is by no means that of the public happiness, and even the force of the administration constantly shows itself prejudicial to the State.

Kings desire to be absolute, and men are always crying out to them from afar that the best means of being so is to get themselves loved by their people. This precept is all very well, and even in some respects very true. Unfortunately, it will always be derided at court. The power which comes of a people's love is no doubt the greatest; but it is precarious and conditional, and princes will never rest content with it. The best kings desire to be in a position to be wicked, if they please, without forfeiting their mastery: political sermonisers may tell them to their hearts' content that, the people's strength being their own, their first interest is that the people should be prosperous, numerous and formidable; they are well aware that this is untrue. Their first personal interest is that the people should be weak, wretched, and unable to resist them. I admit that, provided the subjects remained always in submission, the prince's interest would indeed be that it should be powerful, in order that its power, being his own, might make him formidable to his neighbours; but, this interest being merely secondary and subordinate, and strength being incompatible with submission, princes naturally give the preference always to the principle that is more to their immediate advantage. This is what Samuel put strongly before the Hebrews, and what Machiavelli has clearly shown. He professed to teach kings; but it was the people he really taught. His Prince is the book of Republicans.[23]

We found, on general grounds, that monarchy is suitable only for great States, and this is confirmed when we examine it in itself. The more numerous the public administration, the smaller becomes the relation

between the prince and the subjects, and the nearer it comes to equality, so that in democracy the ratio is unity, or absolute equality. Again, as the government is restricted in numbers the ratio increases and reaches its maximum when the government is in the hands of a single person. There is then too great a distance between prince and people, and the State lacks a bond of union. To form such a bond, there must be intermediate orders, and princes, personages and nobility to compose them. But no such things suit a small State, to which all class differences mean ruin.

If, however, it is hard for a great State to be well governed, it is much harder for it to be so by a single man; and every one knows what happens when kings substitute others for themselves.

An essential and inevitable defect, which will always rank monarchical below the republican government, is that in a republic the public voice hardly ever raises to the highest positions men who are not enlightened and capable, and such as to fill them with honour; while in monarchies those who rise to the top are most often merely petty blunderers, petty swindlers, and petty intriguers, whose petty talents cause them to get into the highest positions at Court, but, as soon as they have got there, serve only to make their ineptitude clear to the public. The people is far less often mistaken in its choice than the prince; and a man of real worth among the king's ministers is almost as rare as a fool at the head of a republican government. Thus, when, by some fortunate chance, one of these born governors takes the helm of State in some monarchy that has been nearly overwhelmed by swarms of "gentlemanly" administrators, there is nothing but amazement at the resources he discovers, and his coming marks an era in his country's history.

For a monarchical State to have a chance of being well governed, its population and extent must be proportionate to the abilities of its governor. It is easier to conquer than to rule. With a long enough lever, the world could be moved with a single finger; to sustain it needs the shoulders of Hercules. However small a State may be, the prince is hardly ever big enough for it. When, on the other hand, it happens that the State is too small for its ruler, in these rare cases too it is ill governed, because the ruler, constantly pursuing his great designs, forgets the interests of the people, and makes it no less wretched by misusing the talents he has, than a ruler of less capacity would make it for want of those he had not. A kingdom should, so to speak, expand or contract with each reign, according to the prince's capabilities; but, the abilities of a senate being more constant in quantity, the State can then have permanent frontiers without the administration suffering.

The disadvantage that is most felt in monarchical government is the want of the continuous succession which, in both the other forms, provides an unbroken bond of union. When one king dies, another is needed; elections leave dangerous intervals and are full of storms; and unless the

citizens are disinterested and upright to a degree which very seldom goes with this kind of government, intrigue and corruption abound. He to whom the State has sold itself can hardly help selling it in his turn and repaying himself, at the expense of the weak, the money the powerful have wrung from him. Under such an administration, venality sooner or later spreads through every part, and peace so enjoyed under a king is worse than the disorders of an interregnum.

What has been done to prevent these evils? Crowns have been made hereditary in certain families, and an order of succession has been set up, to prevent disputes from arising on the death of kings. That is to say, the disadvantages of regency have been put in place of those of election, apparent tranquillity has been preferred to wise administration, and men have chosen rather to risk having children, monstrosities, or imbeciles as rulers to having disputes over the choice of good kings. It has not been taken into account that, in so exposing ourselves to the risks this possibility entails, we are setting almost all the chances against us. There was sound sense in what the younger Dionysius said to his father, who reproached him for doing some shameful deed by asking, "Did I set you the example?" "No," answered his son, "but your father was not king."

Everything conspires to take away from a man who is set in authority over others the sense of justice and reason. Much trouble, we are told, is taken to teach young princes the art of reigning; but their education seems to do them no good. It would be better to begin by teaching them the art of obeying. The greatest kings whose praises history tells were not brought up to reign: reigning is a science we are never so far from possessing as when we have learnt too much of it, and one we acquire better by obeying than by commanding. "Nam utilissimus idem ac brevissimus bonarum malarumque rerum delectus cogitare quid aut nolueris sub alio principe, aut volueris."^[24]

One result of this lack of coherence is the inconstancy of royal government, which, regulated now on one scheme and now on another, according to the character of the reigning prince or those who reign for him, cannot for long have a fixed object or a consistent policy — and this variability, not found in the other forms of government, where the prince is always the same, causes the State to be always shifting from principle to principle and from project to project. Thus we may say that generally, if a court is more subtle in intrigue, there is more wisdom in a senate, and Republics advance towards their ends by more consistent and better considered policies; while every revolution in a royal ministry creates a revolution in the State; for the principle common to all ministers and nearly all kings is to do in every respect the reverse of what was done by their predecessors.

This incoherence further clears up a sophism that is very familiar to royalist political writers; not only is civil government likened to domestic

government, and the prince to the father of a family — this error has already been refuted — but the prince is also freely credited with all the virtues he ought to possess, and is supposed to be always what he should be. This supposition once made, royal government is clearly preferable to all others, because it is incontestably the strongest, and, to be the best also, wants only a corporate will more in conformity with the general will.

But if, according to Plato,[25] the "king by nature" is such a rarity, how often will nature and fortune conspire to give him a crown? And, if royal education necessarily corrupts those who receive it, what is to be hoped from a series of men brought up to reign? It is, then, wanton self-deception to confuse royal government with government by a good king. To see such government as it is in itself, we must consider it as it is under princes who are incompetent or wicked: for either they will come to the throne wicked or incompetent, or the throne will make them so.

These difficulties have not escaped our writers, who, all the same, are not troubled by them. The remedy, they say, is to obey without a murmur: God sends bad kings in His wrath, and they must be borne as the scourges of Heaven. Such talk is doubtless edifying; but it would be more in place in a pulpit than in a political book. What are we to think of a doctor who promises miracles, and whose whole art is to exhort the sufferer to patience? We know for ourselves that we must put up with a bad government when it is there; the question is how to find a good one.

7. MIXED GOVERNMENTS

STRICTLY speaking, there is no such thing as a simple government. An isolated ruler must have subordinate magistrates; a popular government must have a head. There is therefore, in the distribution of the executive power, always a gradation from the greater to the lesser number, with the difference that sometimes the greater number is dependent on the smaller, and sometimes the smaller on the greater.

Sometimes the distribution is equal, when either the constituent parts are in mutual dependence, as in the government of England, or the authority of each section is independent, but imperfect, as in Poland. This last form is bad; for it secures no unity in the government, and the State is left without a bond of union.

Is a simple or a mixed government the better? Political writers are always debating the question, which must be answered as we have already answered a question about all forms of government.

Simple government is better in itself, just because it is simple. But when the executive power is not sufficiently dependent upon the legislative power, i.e., when the prince is more closely related to the Sovereign than the people to the prince, this lack of proportion must be cured by the

division of the government; for all the parts have then no less authority over the subjects, while their division makes them all together less strong against the Sovereign.

The same disadvantage is also prevented by the appointment of intermediate magistrates, who leave the government entire, and have the effect only of balancing the two powers and maintaining their respective rights. Government is then not mixed, but moderated.

The opposite disadvantages may be similarly cured, and, when the government is too lax, tribunals may be set up to concentrate it. This is done in all democracies. In the first case, the government is divided to make it weak; in the second, to make it strong: for the maxima of both strength and weakness are found in simple governments, while the mixed forms result in a mean strength.

8. THAT ALL FORMS OF GOVERNMENT DO NOT SUIT ALL COUNTRIES

LIBERTY, not being a fruit of all climates, is not within the reach of all peoples. The more this principle, laid down by Montesquieu,^{E2} is considered, the more its truth is felt; the more it is combated, the more chance is given to confirm it by new proofs.

In all the governments that there are, the public person consumes without producing. Whence then does it get what it consumes? From the labour of its members. The necessities of the public are supplied out of the superfluities of individuals. It follows that the civil State can subsist only so long as men's labour brings them a return greater than their needs.

The amount of this excess is not the same in all countries. In some it is considerable, in others middling, in yet others nil, in some even negative. The relation of product to subsistence depends on the fertility of the climate, on the sort of labour the land demands, on the nature of its products, on the strength of its inhabitants, on the greater or less consumption they find necessary, and on several further considerations of which the whole relation is made up.

On the other side, all governments are not of the same nature: some are less voracious than others, and the differences between them are based on this second principle, that the further from their source the public contributions are removed, the more burdensome they become. The charge should be measured not by the amount of the impositions, but by the path they have to travel in order to get back to those from whom they came. When the circulation is prompt and well-established, it does not matter whether much or little is paid; the people is always rich and, financially speaking, all is well. On the contrary, however little the people gives, if that little does not return to it, it is soon exhausted by giving

continually: the State is then never rich, and the people is always a people of beggars.

It follows that, the more the distance between people and government increases, the more burdensome tribute becomes: thus, in a democracy, the people bears the least charge; in an aristocracy, a greater charge; and, in monarchy, the weight becomes heaviest. Monarchy therefore suits only wealthy nations; aristocracy, States of middling size and wealth; and democracy, States that are small and poor.

In fact, the more we reflect, the more we find the difference between free and monarchical States to be this: in the former, everything is used for the public advantage; in the latter, the public forces and those of individuals are affected by each other, and either increases as the other grows weak; finally, instead of governing subjects to make them happy, despotism makes them wretched in order to govern them.

We find then, in every climate, natural causes according to which the form of government which it requires can be assigned, and we can even say what sort of inhabitants it should have.

Unfriendly and barren lands, where the product does not repay the labour, should remain desert and uncultivated, or peopled only by savages; lands where men's labour brings in no more than the exact minimum necessary to subsistence should be inhabited by barbarous peoples: in such places all polity is impossible. Lands where the surplus of product over labour is only middling are suitable for free peoples; those in which the soil is abundant and fertile and gives a great product for a little labour call for monarchical government, in order that the surplus of superfluities among the subjects may be consumed by the luxury of the prince: for it is better for this excess to be absorbed by the government than dissipated among the individuals. I am aware that there are exceptions; but these exceptions themselves confirm the rule, in that sooner or later they produce revolutions which restore things to the natural order.

General laws should always be distinguished from individual causes that may modify their effects. If all the South were covered with Republics and all the North with despotic States, it would be none the less true that, in point of climate, despotism is suitable to hot countries, barbarism to cold countries, and good polity to temperate regions. I see also that, the principle being granted, there may be disputes on its application; it may be said that there are cold countries that are very fertile, and tropical countries that are very unproductive. But this difficulty exists only for those who do not consider the question in all its aspects. We must, as I have already said, take labour, strength, consumption, etc., into account.

Take two tracts of equal extent, one of which brings in five and the other ten. If the inhabitants of the first consume four and those of the second nine, the surplus of the first product will be a fifth and that of the second a tenth. The ratio of these two surpluses will then be inverse to that

of the products, and the tract which produces only five will give a surplus double that of the tract which produces ten.

But there is no question of a double product, and I think no one would put the fertility of cold countries, as a general rule, on an equality with that of hot ones. Let us, however, suppose this equality to exist: let us, if you will, regard England as on the same level as Sicily, and Poland as Egypt — further south, we shall have Africa and the Indies; further north, nothing at all. To get this equality of product, what a difference there must be in tillage: in Sicily, there is only need to scratch the ground; in England, how men must toil! But, where more hands are needed to get the same product, the superfluity must necessarily be less.

Consider, besides, that the same number of men consume much less in hot countries. The climate requires sobriety for the sake of health; and Europeans who try to live there as they would at home all perish of dysentery and indigestion. "We are," says Chardin, "carnivorous animals, wolves, in comparison with the Asiatics. Some attribute the sobriety of the Persians to the fact that their country is less cultivated; but it is my belief that their country abounds less in commodities because the inhabitants need less. If their frugality," he goes on, "were the effect of the nakedness of the land, only the poor would eat little; but everybody does so. Again, less or more would be eaten in various provinces, according to the land's fertility; but the same sobriety is found throughout the kingdom. They are very proud of their manner of life, saying that you have only to look at their hue to recognise how far it excels that of the Christians. In fact, the Persians are of an even hue; their skins are fair, fine and smooth; while the hue of their subjects, the Armenians, who live after the European fashion, is rough and blotchy, and their bodies are gross and unwieldy."

The nearer you get to the equator, the less people live on. Meat they hardly touch; rice, maize, curcur, millet and cassava are their ordinary food. There are in the Indies millions of men whose subsistence does not cost a halfpenny a day. Even in Europe we find considerable differences of appetite between Northern and Southern peoples. A Spaniard will live for a week on a German's dinner. In the countries in which men are more voracious, luxury therefore turns in the direction of consumption. In England, luxury appears in a well-filled table; in Italy, you feast on sugar and flowers.

Luxury in clothes shows similar differences. In climates in which the changes of season are prompt and violent, men have better and simpler clothes; where they clothe themselves only for adornment, what is striking is more thought of than what is useful; clothes themselves are then a luxury. At Naples, you may see daily walking in the Pausilippeum men in gold-embroidered upper garments and nothing else. It is the same with buildings; magnificence is the sole consideration where there is nothing to fear from the air. In Paris and London, you desire to be lodged warmly and

comfortably; in Madrid, you have superb salons, but not a window that closes, and you go to bed in a mere hole.

In hot countries foods are much more substantial and succulent; and the third difference cannot but have an influence on the second. Why are so many vegetables eaten in Italy? Because there they are good, nutritious and excellent in taste. In France, where they are nourished only on water, they are far from nutritious and are thought nothing of at table. They take up all the same no less ground, and cost at least as much pains to cultivate. It is a proved fact that the wheat of Barbary, in other respects inferior to that of France, yields much more flour, and that the wheat of France in turn yields more than that of northern countries; from which it may be inferred that a like gradation in the same direction, from equator to pole, is found generally. But is it not an obvious disadvantage for an equal product to contain less nourishment?

To all these points may be added another, which at once depends on and strengthens them. Hot countries need inhabitants less than cold countries, and can support more of them. There is thus a double surplus, which is all to the advantage of despotism. The greater the territory occupied by a fixed number of inhabitants, the more difficult revolt becomes, because rapid or secret concerted action is impossible, and the government can easily unmask projects and cut communications; but the more a numerous people is gathered together, the less can the government usurp the Sovereign's place: the people's leaders can deliberate as safely in their houses as the prince in council, and the crowd gathers as rapidly in the squares as the prince's troops in their quarters. The advantage of tyrannical government therefore lies in acting at great distances. With the help of the rallying-points it establishes, its strength, like that of the lever, [26] grows with distance. The strength of the people, on the other hand, acts only when concentrated: when spread abroad, it evaporates and is lost, like powder scattered on the ground, which catches fire only grain by grain. The least populous countries are thus the fittest for tyranny: fierce animals reign only in deserts.

9. THE MARKS OF A GOOD GOVERNMENT

THE question "What absolutely is the best government?" is unanswerable as well as indeterminate; or rather, there are as many good answers as there are possible combinations in the absolute and relative situations of all nations.

But if it is asked by what sign we may know that a given people is well or ill governed, that is another matter, and the question, being one of fact, admits of an answer.

It is not, however, answered, because everyone wants to answer it in his own way. Subjects extol public tranquillity, citizens individual liberty; the one class prefers security of possessions, the other that of person; the one regards as the best government that which is most severe, the other maintains that the mildest is the best; the one wants crimes punished, the other wants them prevented; the one wants the State to be feared by its neighbours, the other prefers that it should be ignored; the one is content if money circulates, the other demands that the people shall have bread. Even if an agreement were come to on these and similar points, should we have got any further? As moral qualities do not admit of exact measurement, agreement about the mark does not mean agreement about the valuation.

For my part, I am continually astonished that a mark so simple is not recognised, or that men are of so bad faith as not to admit it. What is the end of political association? The preservation and prosperity of its members. And what is the surest mark of their preservation and prosperity? Their numbers and population. Seek then nowhere else this mark that is in dispute. The rest being equal, the government under which, without external aids, without naturalisation or colonies, the citizens increase and multiply most, is beyond question the best. The government under which a people wanes and diminishes is the worst. Calculators, it is left for you to count, to measure, to compare.[27]

10. THE ABUSE OF GOVERNMENT AND ITS TENDENCY TO DEGENERATE

AS the particular will acts constantly in opposition to the general will, the government continually exerts itself against the Sovereignty. The greater this exertion becomes, the more the constitution changes; and, as there is in this case no other corporate will to create an equilibrium by resisting the will of the prince, sooner or later the prince must inevitably suppress the Sovereign and break the social treaty. This is the unavoidable and inherent defect which, from the very birth of the body politic, tends ceaselessly to destroy it, as age and death end by destroying the human body.

There are two general courses by which government degenerates: i.e., when it undergoes contraction, or when the State is dissolved.

Government undergoes contraction when it passes from the many to the few, that is, from democracy to aristocracy, and from aristocracy to royalty. To do so is its natural propensity.[28] If it took the backward course from the few to the many, it could be said that it was relaxed; but this inverse sequence is impossible.

Indeed, governments never change their form except when their energy is exhausted and leaves them too weak to keep what they have. If a government at once extended its sphere and relaxed its stringency, its force would become absolutely nil, and it would persist still less. It is therefore necessary to wind up the spring and tighten the hold as it gives way: or else the State it sustains will come to grief.

The dissolution of the State may come about in either of two ways.

First, when the prince ceases to administer the State in accordance with the laws, and usurps the Sovereign power. A remarkable change then occurs: not the government, but the State, undergoes contraction; I mean that the great State is dissolved, and another is formed within it, composed solely of the members of the government, which becomes for the rest of the people merely master and tyrant. So that the moment the government usurps the Sovereignty, the social compact is broken, and all private citizens recover by right their natural liberty, and are forced, but not bound, to obey.

The same thing happens when the members of the government severally usurp the power they should exercise only as a body; this is as great an infraction of the laws, and results in even greater disorders. There are then, so to speak, as many princes as there are magistrates, and the State, no less divided than the government, either perishes or changes its form.

When the State is dissolved, the abuse of government, whatever it is, bears the common name of anarchy. To distinguish, democracy degenerates into ochlocracy, and aristocracy into oligarchy; and I would add that royalty degenerates into tyranny; but this last word is ambiguous and needs explanation.

In vulgar usage, a tyrant is a king who governs violently and without regard for justice and law. In the exact sense, a tyrant is an individual who arrogates to himself the royal authority without having a right to it. This is how the Greeks understood the word "tyrant": they applied it indifferently to good and bad princes whose authority was not legitimate.^[29] Tyrant and usurper are thus perfectly synonymous terms.

In order that I may give different things different names, I call him who usurps the royal authority a tyrant, and him who usurps the sovereign power a despot. The tyrant is he who thrusts himself in contrary to the laws to govern in accordance with the laws; the despot is he who sets himself above the laws themselves. Thus the tyrant cannot be a despot, but the despot is always a tyrant.

11. THE DEATH OF THE BODY POLITIC

SUCH is the natural and inevitable tendency of the best constituted governments. If Sparta and Rome perished, what State can hope to endure for ever? If we would set up a long-lived form of government, let us not even dream of making it eternal. If we are to succeed, we must not attempt the impossible, or flatter ourselves that we are endowing the work of man with a stability of which human conditions do not permit.

The body politic, as well as the human body, begins to die as soon as it is born, and carries in itself the causes of its destruction. But both may have a constitution that is more or less robust and suited to preserve them a longer or a shorter time. The constitution of man is the work of nature; that of the State the work of art. It is not in men's power to prolong their own lives; but it is for them to prolong as much as possible the life of the State, by giving it the best possible constitution. The best constituted State will have an end; but it will end later than any other, unless some unforeseen accident brings about its untimely destruction.

The life-principle of the body politic lies in the sovereign authority. The legislative power is the heart of the State; the executive power is its brain, which causes the movement of all the parts. The brain may become paralysed and the individual still live. A man may remain an imbecile and live; but as soon as the heart ceases to perform its functions, the animal is dead.

The State subsists by means not of the laws, but of the legislative power. Yesterday's law is not binding to-day; but silence is taken for tacit consent, and the Sovereign is held to confirm incessantly the laws it does not abrogate as it might. All that it has once declared itself to will it wills always, unless it revokes its declaration.

Why then is so much respect paid to old laws? For this very reason. We must believe that nothing but the excellence of old acts of will can have preserved them so long: if the Sovereign had not recognised them as throughout salutary, it would have revoked them a thousand times. This is why, so far from growing weak, the laws continually gain new strength in any well constituted State; the precedent of antiquity makes them daily more venerable: while wherever the laws grow weak as they become old, this proves that there is no longer a legislative power, and that the State is dead.

12. HOW THE SOVEREIGN AUTHORITY MAINTAINS ITSELF

THE Sovereign, having no force other than the legislative power, acts only by means of the laws; and the laws being solely the authentic acts of the general will, the Sovereign cannot act save when the people is

assembled. The people in assembly, I shall be told, is a mere chimera. It is so to-day, but two thousand years ago it was not so. Has man's nature changed?

The bounds of possibility, in moral matters, are less narrow than we imagine: it is our weaknesses, our vices and our prejudices that confine them. Base souls have no belief in great men; vile slaves smile in mockery at the name of liberty.

Let us judge of what can be done by what has been done. I shall say nothing of the Republics of ancient Greece; but the Roman Republic was, to my mind, a great State, and the town of Rome a great town. The last census showed that there were in Rome four hundred thousand citizens capable of bearing arms, and the last computation of the population of the Empire showed over four million citizens, excluding subjects, foreigners, women, children and slaves.

What difficulties might not be supposed to stand in the way of the frequent assemblage of the vast population of this capital and its neighbourhood. Yet few weeks passed without the Roman people being in assembly, and even being so several times. It exercised not only the rights of Sovereignty, but also a part of those of government. It dealt with certain matters, and judged certain cases, and this whole people was found in the public meeting-place hardly less often as magistrates than as citizens.

If we went back to the earliest history of nations, we should find that most ancient governments, even those of monarchical form, such as the Macedonian and the Frankish, had similar councils. In any case, the one incontestable fact I have given is an answer to all difficulties; it is good logic to reason from the actual to the possible.

13. THE SAME (CONTINUED)

IT is not enough for the assembled people to have once fixed the constitution of the State by giving its sanction to a body of law; it is not enough for it to have set up a perpetual government, or provided once for all for the election of magistrates. Besides the extraordinary assemblies unforeseen circumstances may demand, there must be fixed periodical assemblies which cannot be abrogated or prorogued, so that on the proper day the people is legitimately called together by law, without need of any formal summoning.

But, apart from these assemblies authorised by their date alone, every assembly of the people not summoned by the magistrates appointed for that purpose, and in accordance with the prescribed forms, should be regarded as unlawful, and all its acts as null and void, because the command to assemble should itself proceed from the law.

The greater or less frequency with which lawful assemblies should occur depends on so many considerations that no exact rules about them can be given. It can only be said generally that the stronger the government the more often should the Sovereign show itself.

This, I shall be told, may do for a single town; but what is to be done when the State includes several? Is the sovereign authority to be divided? Or is it to be concentrated in a single town to which all the rest are made subject?

Neither the one nor the other, I reply. First, the sovereign authority is one and simple, and cannot be divided without being destroyed. In the second place, one town cannot, any more than one nation, legitimately be made subject to another, because the essence of the body politic lies in the reconciliation of obedience and liberty, and the words subject and Sovereign are identical correlatives the idea of which meets in the single word "citizen."

I answer further that the union of several towns in a single city is always bad, and that, if we wish to make such a union, we should not expect to avoid its natural disadvantages. It is useless to bring up abuses that belong to great States against one who desires to see only small ones; but how can small States be given the strength to resist great ones, as formerly the Greek towns resisted the Great King, and more recently Holland and Switzerland have resisted the House of Austria?

Nevertheless, if the State cannot be reduced to the right limits, there remains still one resource; this is, to allow no capital, to make the seat of government move from town to town, and to assemble by turn in each the Provincial Estates of the country.

People the territory evenly, extend everywhere the same rights, bear to every place in it abundance and life: by these means will the State become at once as strong and as well governed as possible. Remember that the walls of towns are built of the ruins of the houses of the countryside. For every palace I see raised in the capital, my mind's eye sees a whole country made desolate.

14. THE SAME (CONTINUED)

THE moment the people is legitimately assembled as a sovereign body, the jurisdiction of the government wholly lapses, the executive power is suspended, and the person of the meanest citizen is as sacred and inviolable as that of the first magistrate; for in the presence of the person represented, representatives no longer exist. Most of the tumults that arose in the comitia at Rome were due to ignorance or neglect of this rule. The consuls were in them merely the presidents of the people; the tribunes were mere speakers;[\[30\]](#) the senate was nothing at all.

These intervals of suspension, during which the prince recognises or ought to recognise an actual superior, have always been viewed by him with alarm; and these assemblies of the people, which are the aegis of the body politic and the curb on the government, have at all times been the horror of rulers: who therefore never spare pains, objections, difficulties, and promises, to stop the citizens from having them. When the citizens are greedy, cowardly, and pusillanimous, and love ease more than liberty, they do not long hold out against the redoubled efforts of the government; and thus, as the resisting force incessantly grows, the sovereign authority ends by disappearing, and most cities fall and perish before their time.

But between the sovereign authority and arbitrary government there sometimes intervenes a mean power of which something must be said.

15. DEPUTIES OR REPRESENTATIVES

AS soon as public service ceases to be the chief business of the citizens, and they would rather serve with their money than with their persons, the State is not far from its fall. When it is necessary to march out to war, they pay troops and stay at home: when it is necessary to meet in council, they name deputies and stay at home. By reason of idleness and money, they end by having soldiers to enslave their country and representatives to sell it.

It is through the hustle of commerce and the arts, through the greedy self-interest of profit, and through softness and love of amenities that personal services are replaced by money payments. Men surrender a part of their profits in order to have time to increase them at leisure. Make gifts of money, and you will not be long without chains. The word finance is a slavish word, unknown in the city-state. In a country that is truly free, the citizens do everything with their own arms and nothing by means of money; so far from paying to be exempted from their duties, they would even pay for the privilege of fulfilling them themselves. I am far from taking the common view: I hold enforced labour to be less opposed to liberty than taxes.

The better the constitution of a State is, the more do public affairs encroach on private in the minds of the citizens. Private affairs are even of much less importance, because the aggregate of the common happiness furnishes a greater proportion of that of each individual, so that there is less for him to seek in particular cares. In a well-ordered city every man flies to the assemblies: under a bad government no one cares to stir a step to get to them, because no one is interested in what happens there, because it is foreseen that the general will will not prevail, and lastly because domestic cares are all-absorbing. Good laws lead to the making of better ones; bad ones bring about worse. As soon as any man says of the

affairs of the State What does it matter to me? the State may be given up for lost.

The lukewarmness of patriotism, the activity of private interest, the vastness of States, conquest and the abuse of government suggested the method of having deputies or representatives of the people in the national assemblies. These are what, in some countries, men have presumed to call the Third Estate. Thus the individual interest of two orders is put first and second; the public interest occupies only the third place.

Sovereignty, for the same reason as makes it inalienable, cannot be represented; it lies essentially in the general will, and will does not admit of representation: it is either the same, or other; there is no intermediate possibility. The deputies of the people, therefore, are not and cannot be its representatives: they are merely its stewards, and can carry through no definitive acts. Every law the people has not ratified in person is null and void — is, in fact, not a law. The people of England regards itself as free; but it is grossly mistaken; it is free only during the election of members of parliament. As soon as they are elected, slavery overtakes it, and it is nothing. The use it makes of the short moments of liberty it enjoys shows indeed that it deserves to lose them.

The idea of representation is modern; it comes to us from feudal government, from that iniquitous and absurd system which degrades humanity and dishonours the name of man. In ancient republics and even in monarchies, the people never had representatives; the word itself was unknown. It is very singular that in Rome, where the tribunes were so sacrosanct, it was never even imagined that they could usurp the functions of the people, and that in the midst of so great a multitude they never attempted to pass on their own authority a single plebiscitum. We can, however, form an idea of the difficulties caused sometimes by the people being so numerous, from what happened in the time of the Gracchi, when some of the citizens had to cast their votes from the roofs of buildings.

Where right and liberty are everything, disadvantages count for nothing. Among this wise people everything was given its just value, its licitors were allowed to do what its tribunes would never have dared to attempt; for it had no fear that its licitors would try to represent it.

To explain, however, in what way the tribunes did sometimes represent it, it is enough to conceive how the government represents the Sovereign. Law being purely the declaration of the general will, it is clear that, in the exercise of the legislative power, the people cannot be represented; but in that of the executive power, which is only the force that is applied to give the law effect, it both can and should be represented. We thus see that if we looked closely into the matter we should find that very few nations have any laws. However that may be, it is certain that the tribunes, possessing no executive power, could never represent the Roman

people by right of the powers entrusted to them, but only by usurping those of the senate.

In Greece, all that the people had to do, it did for itself; it was constantly assembled in the public square. The Greeks lived in a mild climate; they had no natural greed; slaves did their work for them; their great concern was with liberty. Lacking the same advantages, how can you preserve the same rights? Your severer climates add to your needs;[\[31\]](#) for half the year your public squares are uninhabitable; the flatness of your languages unfits them for being heard in the open air; you sacrifice more for profit than for liberty, and fear slavery less than poverty.

What then? Is liberty maintained only by the help of slavery? It may be so. Extremes meet. Everything that is not in the course of nature has its disadvantages, civil society most of all. There are some unhappy circumstances in which we can only keep our liberty at others' expense, and where the citizen can be perfectly free only when the slave is most a slave. Such was the case with Sparta. As for you, modern peoples, you have no slaves, but you are slaves yourselves; you pay for their liberty with your own. It is in vain that you boast of this preference; I find in it more cowardice than humanity.

I do not mean by all this that it is necessary to have slaves, or that the right of slavery is legitimate: I am merely giving the reasons why modern peoples, believing themselves to be free, have representatives, while ancient peoples had none. In any case, the moment a people allows itself to be represented, it is no long free: it no longer exists.

All things considered, I do not see that it is possible henceforth for the Sovereign to preserve among us the exercise of its rights, unless the city is very small. But if it is very small, it will be conquered? No. I will show later on how the external strength of a great people[\[32\]](#) may be combined with the convenient polity and good order of a small State.

16. THAT THE INSTITUTION OF GOVERNMENT IS NOT A CONTRACT

THE legislative power once well established, the next thing is to establish similarly the executive power; for this latter, which operates only by particular acts, not being of the essence of the former, is naturally separate from it. Were it possible for the Sovereign, as such, to possess the executive power, right and fact would be so confounded that no one could tell what was law and what was not; and the body politic, thus disfigured, would soon fall a prey to the violence it was instituted to prevent.

As the citizens, by the social contract, are all equal, all can prescribe what all should do, but no one has a right to demand that another shall do what he does not do himself. It is strictly this right, which is indispensable

for giving the body politic life and movement, that the Sovereign, in instituting the government, confers upon the prince.

It has been held that this act of establishment was a contract between the people and the rulers it sets over itself, — a contract in which conditions were laid down between the two parties binding the one to command and the other to obey. It will be admitted, I am sure, that this is an odd kind of contract to enter into. But let us see if this view can be upheld.

First, the supreme authority can no more be modified than it can be alienated; to limit it is to destroy it. It is absurd and contradictory for the Sovereign to set a superior over itself; to bind itself to obey a master would be to return to absolute liberty.

Moreover, it is clear that this contract between the people and such and such persons would be a particular act; and from this it follows that it can be neither a law nor an act of Sovereignty, and that consequently it would be illegitimate.

It is plain too that the contracting parties in relation to each other would be under the law of nature alone and wholly without guarantees of their mutual undertakings, a position wholly at variance with the civil state. He who has force at his command being always in a position to control execution, it would come to the same thing if the name "contract" were given to the act of one man who said to another: "I give you all my goods, on condition that you give me back as much of them as you please."

There is only one contract in the State, and that is the act of association, which in itself excludes the existence of a second. It is impossible to conceive of any public contract that would not be a violation of the first.

17. THE INSTITUTION OF GOVERNMENT

UNDER what general idea then should the act by which government is instituted be conceived as falling? I will begin by stating that the act is complex, as being composed of two others — the establishment of the law and its execution.

By the former, the Sovereign decrees that there shall be a governing body established in this or that form; this act is clearly a law.

By the latter, the people nominates the rulers who are to be entrusted with the government that has been established. This nomination, being a particular act, is clearly not a second law, but merely a consequence of the first and a function of government.

The difficulty is to understand how there can be a governmental act before government exists, and how the people, which is only Sovereign or subject, can, under certain circumstances, become a prince or magistrate.

It is at this point that there is revealed one of the astonishing properties of the body politic, by means of which it reconciles apparently contradictory operations; for this is accomplished by a sudden conversion of Sovereignty into democracy, so that, without sensible change, and merely by virtue of a new relation of all to all, the citizens become magistrates and pass from general to particular acts, from legislation to the execution of the law.

This changed relation is no speculative subtlety without instances in practice: it happens every day in the English Parliament, where, on certain occasions, the Lower House resolves itself into Grand Committee, for the better discussion of affairs, and thus, from being at one moment a sovereign court, becomes at the next a mere commission; so that subsequently it reports to itself, as House of Commons, the result of its proceedings in Grand Committee, and debates over again under one name what it has already settled under another.

It is, indeed, the peculiar advantage of democratic government that it can be established in actuality by a simple act of the general will. Subsequently, this provisional government remains in power, if this form is adopted, or else establishes in the name of the Sovereign the government that is prescribed by law; and thus the whole proceeding is regular. It is impossible to set up government in any other manner legitimately and in accordance with the principles so far laid down.

18. HOW TO CHECK THE USURPATIONS OF GOVERNMENT

WHAT we have just said confirms Chapter 16, and makes it clear that the institution of government is not a contract, but a law; that the depositaries of the executive power are not the people's masters, but its officers; that it can set them up and pull them down when it likes; that for them there is no question of contract, but of obedience and that in taking charge of the functions the State imposes on them they are doing no more than fulfilling their duty as citizens, without having the remotest right to argue about the conditions.

When therefore the people sets up an hereditary government, whether it be monarchical and confined to one family, or aristocratic and confined to a class, what it enters into is not an undertaking; the administration is given a provisional form, until the people chooses to order it otherwise.

It is true that such changes are always dangerous, and that the established government should never be touched except when it comes to be incompatible with the public good; but the circumspection this involves is a maxim of policy and not a rule of right, and the State is no more bound to leave civil authority in the hands of its rulers than military authority in the hands of its generals.

It is also true that it is impossible to be too careful to observe, in such cases, all the formalities necessary to distinguish a regular and legitimate act from a seditious tumult, and the will of a whole people from the clamour of a faction. Here above all no further concession should be made to the untoward possibility than cannot, in the strictest logic, be refused it. From this obligation the prince derives a great advantage in preserving his power despite the people, without it being possible to say he has usurped it; for, seeming to avail himself only of his rights, he finds it very easy to extend them, and to prevent, under the pretext of keeping the peace, assemblies that are destined to the re-establishment of order; with the result that he takes advantage of a silence he does not allow to be broken, or of irregularities he causes to be committed, to assume that he has the support of those whom fear prevents from speaking, and to punish those who dare to speak. Thus it was that the decemvirs, first elected for one year and then kept on in office for a second, tried to perpetuate their power by forbidding the comitia to assemble; and by this easy method every government in the world, once clothed with the public power, sooner or later usurps the sovereign authority.

The periodical assemblies of which I have already spoken are designed to prevent or postpone this calamity, above all when they need no formal summoning; for in that case, the prince cannot stop them without openly declaring himself a law-breaker and an enemy of the State.

The opening of these assemblies, whose sole object is the maintenance of the social treaty, should always take the form of putting two propositions that may not be suppressed, which should be voted on separately.

The first is: "Does it please the Sovereign to preserve the present form of government?"

The second is: "Does it please the people to leave its administration in the hands of those who are actually in charge of it?"

I am here assuming what I think I have shown; that there is in the State no fundamental law that cannot be revoked, not excluding the social compact itself; for if all the citizens assembled of one accord to break the compact, it is impossible to doubt that it would be very legitimately broken. Grotius even thinks that each man can renounce his membership of his own State, and recover his natural liberty and his goods on leaving the country.^[33] It would be indeed absurd if all the citizens in assembly could not do what each can do by himself.

¹⁸ Thus at Venice the College, even in the absence of the Doge, is called "Most Serene Prince."

¹⁹ The Palatine of Posen, father of the King of Poland, Duke of Lorraine.

²⁰ I prefer liberty with danger to peace with slavery.

²¹ It is clear that the word *optimales* meant, among the ancients, not the best, but the most powerful.

²² It is of great importance that the form of the election of magistrates should be regulated by law; for if it is left at the discretion of the prince, it is impossible to avoid falling into hereditary aristocracy, as the Republics of Venice and Berne actually did. The first of these has therefore long been a State dissolved; the second, however, is maintained by the extreme wisdom of the senate, and forms an honourable and highly dangerous exception.

²³ Machiavelli was a proper man and a good citizen; but, being attached to the court of the Medici, he could not help veiling his love of liberty in the midst of his country's oppression. The choice of his detestable hero, Caesar Borgia, clearly enough shows his hidden aim; and the contradiction between the teaching of the Prince and that of the Discourses on Livy and the History of Florence shows that this profound political thinker has so far been studied only by superficial or corrupt readers. The Court of Rome sternly prohibited his book. I can well believe it; for it is that Court it most clearly portrays.

²⁴ [Tacitus, Histories, i. 16](#). "For the best, and also the shortest way of finding out what is good and what is bad is to consider what you would have wished to happen or not to happen, had another than you been Emperor."

²⁵ In the Statesman.

²⁶ This does not contradict what I said before ([Book II, ch. 9](#)) about the disadvantages of great States; for we were then dealing with the authority of the government over the members, while here we are dealing with its force against the subjects. Its scattered members serve it as rallying-points for action against the people at a distance, but it has no rallying-point for direct action on its members themselves. Thus the length of the lever is its weakness in the one case, and its strength in the other.

²⁷ On the same principle it should be judged what centuries deserve the preference for human prosperity. Those in which letters and arts have flourished have been too much admired, because the hidden object of their culture has not been fathomed, and their fatal effects not taken into account. "Idque apud imperitos humanitas vocabatur, cum pars servitutis esset." (Fools called "humanity" what was a part of slavery, Tacitus, Agricola, 31.) Shall we never see in the maxims books lay down the vulgar interest that makes their writers speak? No, whatever they may say, when, despite its renown, a country is depopulated, it is not true that all is well, and it is not enough that a poet should have an income of 100,000 francs to make his age the best of all. Less attention should be paid to the apparent repose and tranquillity of the rulers than to the well-being of their nations as wholes, and above all of the most numerous States. A hail-storm lays several cantons waste,

but it rarely makes a famine. Outbreaks and civil wars give rulers rude shocks, but they are not the real ills of peoples, who may even get a respite, while there is a dispute as to who shall tyrannise over them. Their true prosperity and calamities come from their permanent condition: it is when the whole remains crushed beneath the yoke, that decay sets in, and that the rulers destroy them at will, and "*ubi solitudinem faciunt, pacem appellant.*" (Where they create solitude, they call it peace, Tacitus, Agricola, 31.) When the bickerings of the great disturbed the kingdom of France, and the Coadjutor of Paris took a dagger in his pocket to the Parliament, these things did not prevent the people of France from prospering and multiplying in dignity, ease and freedom. Long ago Greece flourished in the midst of the most savage wars; blood ran in torrents, and yet the whole country was covered with inhabitants. It appeared, says Machiavelli, that in the midst of murder, proscription and civil war, our republic only thrived: the virtue, morality and independence of the citizens did more to strengthen it than all their dissensions had done to enfeeble it. A little disturbance gives the soul elasticity; what makes the race truly prosperous is not so much peace as liberty.

²⁸ The slow formation and the progress of the Republic of Venice in its lagoons are a notable instance of this sequence; and it is most astonishing that, after more than twelve hundred years' existence, the Venetians seem to be still at the second stage, which they reached with the Serrar di Consiglio in 1198. As for the ancient Dukes who are brought up against them, it is proved, whatever the Squittinio della libertà veneta may say of them, that they were in no sense sovereigns.

A case certain to be cited against my view is that of the Roman Republic, which, it will be said, followed exactly the opposite course, and passed from monarchy to aristocracy and from aristocracy to democracy. I by no means take this view of it.

What Romulus first set up was a mixed government, which soon deteriorated into despotism. From special causes, the State died an untimely death, as new-born children sometimes perish without reaching manhood. The expulsion of the Tarquins was the real period of the birth of the Republic. But at first it took on no constant form, because, by not abolishing the patriciate, it left half its work undone. For, by this means, hereditary aristocracy, the worst of all legitimate forms of administration, remained in conflict with democracy, and the form of the government, as Machiavelli has proved, was only fixed on the establishment of the tribunate: only then was there a true government and a veritable democracy. In fact, the people was then not only Sovereign, but also magistrate and judge; the senate was only a subordinate tribunal, to temper and concentrate the government, and the consuls themselves, though they were patricians, first magistrates, and absolute generals in war, were in Rome itself no more than presidents of the people.

From that point, the government followed its natural tendency, and inclined strongly to aristocracy. The patriciate, we may say, abolished itself, and the aristocracy was found no longer in the body of patricians as at Venice and Genoa, but in the body of the senate, which was composed of patricians and plebeians, and even in the body of tribunes when they began to usurp an active function: for names do not affect

facts, and, when the people has rulers who govern for it, whatever name they bear, the government is an aristocracy.

The abuse of aristocracy led to the civil wars and the triumvirate. Sulla, Julius Caesar and Augustus became in fact real monarchs; and finally, under the despotism of Tiberius, the State was dissolved. Roman history then confirms, instead of invalidating, the principle I have laid down.

²⁹ "Omnes enim et habentur et dicuntur tyranni, qui potestate utuntur perpetua in ea civitate quæ libertate usa est" (Cornelius Nepos, *Life of Miltiades*). (For all those are called and considered tyrants, who hold perpetual power in a State that has known liberty.) It is true that Aristotle (*Ethics*, Book viii, chapter x) distinguishes the tyrant from the king by the fact that the former governs in his own interest, and the latter only for the good of his subjects; but not only did all Greek authors in general use the word tyrant in a different sense, as appears most clearly in Xenophon's *Hiero*, but also it would follow from Aristotle's distinction that, from the very beginning of the world, there has not yet been a single king.

³⁰ In nearly the same sense as this word has in the English Parliament. The similarity of these functions would have brought the consuls and the tribunes into conflict, even had all jurisdiction been suspended.

³¹ To adopt in cold countries the luxury and effeminacy of the East is to desire to submit to its chains; it is indeed to bow to them far more inevitably in our case than in theirs.

³² I had intended to do this in the sequel to this work, when in dealing with external relations I came to the subject of confederations. The subject is quite new, and its principles have still to be laid down.

³³ Provided, of course, he does not leave to escape his obligations and avoid having to serve his country in the hour of need. Flight in such a case would be criminal and punishable, and would be, not withdrawal, but desertion.

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