

THE SOCIAL CONTRACT OR PRINCIPLES OF POLITICAL RIGHT

BY

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1762

TRANSLATED WITH

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*Propter equum
In amica
Vigil, Encl. XI 141-2,*



LONDON: GEORGE ALLEN & UNWIN LTD.
40, MUSGRAVE STREET, W.C.

BOOK I.

INTRODUCTORY NOTE.

I WISH to enquire whether, taking men as they are and laws as they can be made, it is possible to establish some just and certain rule of administration in civil affairs. In this investigation I shall always strive to reconcile what right permits with what interest prescribes, so that justice and utility may not be severed.

I enter upon this enquiry without demonstrating the importance of my subject. I shall be asked whether I am a prince or a legislator that I write on politics. I reply that I am not ; and that it is for this very reason that I write on politics. If I were a prince or a legislator, I should not waste my time in saying what ought to be done ; I should do it or remain silent.

Having been born a citizen of a free State,¹ and a member of the sovereign body, however feeble an influence my voice may have in public affairs, the right to vote upon them is sufficient to impose on me the duty of informing myself about them ; and I feel happy, whenever I meditate on governments, always to discover in my researches new reasons for loving that of my own country.

CHAPTER I.

SUBJECT OF THE FIRST BOOK.

MAN is born free, and everywhere he is in chains. Many a one believes himself the master of others, and yet he is a greater slave than they. How has this change come about? I do not know. What can render it legitimate? I believe that I can settle this question.

If I considered only force and the results that proceed from it, I should say that so long as a people is compelled to obey and does obey, it does well; but that, so soon as it can shake off the yoke and does shake it off, it does better; for, if men recover their freedom by virtue of the same right by which it was taken away, either they are justified in resuming it, or there was no justification for depriving them of it.² But the social order is a sacred right which serves as a foundation for all others. This right however, does not come from nature. It is therefore based on conventions. The question is to know what these conventions are. Before coming to that, I must establish what I have just laid down.

CHAPTER II.

PRIMITIVE SOCIETIES.

THE earliest of all societies,³ and the only natural one, is the family; yet children remain attached to their father only so long as they have need of him for their own preservation. As soon as this need ceases, the natural bond is dissolved. The children being freed from the obedience which they owed to their father, and the father from the cares which he owed to his children, become equally independent. If they remain united, it is no longer naturally but voluntarily; and the family itself is kept together only by convention.

This common liberty is a consequence of man's nature. His first law is to attend to his own preservation, his first cares are those which he owes to himself; and as soon as he comes to years of discretion, being sole judge of the means adapted for his own preservation, he becomes his own master.

The family is, then, if you will, the primitive model of political societies; the chief is the analogue of the father, while the people represent the children; and all, being born free and equal,⁴ alienate their liberty only for their own advantage.) The whole difference is that, in the family, the father's love for his children repays him for the care that he bestows upon them; while, in the State, the pleasure of ruling makes up for the chief's lack of love for his people.

Grotius⁵ denies that all human authority is established for the benefit of the governed, and he cites slavery as an instance. His invariable mode of reasoning is to establish right by fact.* A juster method might be employed, but none more favourable to tyrants.

* "Learned researches in public law are often nothing but the history of ancient abuses; and to devote much labour to studying them is misplaced pertinacity" (*Treatise on the Interests of France in relation to her Neighbours*, by the Marquis d'Argenson⁶): That is exactly what Grotius did.