

The Social Contract Study Guide

The Social Contract by Jean-Jacques Rousseau

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Plot Summary

The Social Contract is an extensive, intellectual contemplation and examination on the nature and function of government. Historical examples as well as ones contemporary to the time at which the book was written (the mid 1760s) are cited in support of the author's many arguments, which all essentially boil down to three main ideological, and therefore thematic, statements. These statements are that the will of the people is infallible, that the sole function of government (and the men who populate it) is to enact that will, and that government must adapt to whatever form is necessary to do so effectively and with integrity.

The Social Contract is a systematic exploration of the relationship between the individual and the government under which he lives. That exploration begins, in Book 1, with an analysis of the informal, basic kinds of government throughout history, which the author contends was founded on the patriarchal principle of rule by the right of strength. Rousseau details the various reasons this principle is ineffective and ultimately harmful to the overall well-being of humanity, and begins a discussion of more effective forms of government. His essential contention is that good government is ultimately good for the individual, in the way that its rules and laws ultimately and effectively provide freedom for the individual to fulfill his own needs and desires. Development of this idea leads into Book 2, a more detailed analysis of the benefits of good government.

Book 2's essential focus is to diagram how the will of the individual can, through a process of communication and implementation, expand upward and outward, ultimately manifesting in the will of the state as defined by, and shaped into, law. Book 2 concludes with an examination of the different kinds of laws, the different reasons for their needing to be enacted, and the roles of various individuals / levels of government in enabling that process. This in turn leads into Book 3, a more detailed exploration of government—different kinds of government, different ways in which they work, pros and cons of each kind, and the specifically defined responsibilities of individuals within the governmental system. There is also, in this book, an extensive contemplation of both why and how good government must be preserved.

The focus of Book 4 is an even deeper examination of the ways and means good government can, and should, be constantly monitored and refined. The author suggests here that there are two key aspects to this process: the first is the way in which votes are taken and tallied, the second is the way in which specific individuals fulfill specific, carefully defined and limited functions, addressing specific circumstances in particular ways. Also in Book 4, the author goes into specific detail about the way in which the government of Ancient Rome was developed, a government he holds up as a kind of model, or example, of how good government should work. The author concludes both this book and the book as a whole with an extensive argument against the involvement of religion in general, and Christianity in particular, in government.

Throughout the book, the author argues three essential premises: that good government must be based upon the general will of the people; that the will of the

people is infallible; and that government must function with enough flexibility and openness to manifest that will whenever and however it makes itself evident.



Book 1, Part 1

Book 1, Part 1 Summary and Analysis

This book is an extensive contemplation and examination of the nature and function of government. Historical examples as well as ones contemporary to the time at which the book was written (the mid 1760s) are cited in support of the author's many arguments, which essentially boil down to three main ideological, and therefore thematic, statements. These statements are that the will of the people is infallible, that the sole function of government (and the men who populate it) is to enact that will, and that government must adapt to whatever form is necessary to do so effectively and with integrity.

In a prologue to this first book, the author states his purpose (see "Quotes," p. 5), commenting that it's his responsibility as a citizen of a free state, with the right to vote, to inform himself as much as possible about the way that state is run.

Chapter 1, "Summary of the First Book"

The author asserts that every human being, leader or follower lives in chains (see "Quotes," p. 5), and that violence is, for the most part, a poor means of maintaining social order. He suggests that the right way to live and to govern is founded upon social conventions, going on to say that before he examines those conventions he intends to prove his assertions about violence.

Chapter 2, "Of the First Societies"

The author compares authoritarian socio-political systems with those of the family, basing both on a father-dominant (patriarchal) model or standard. He suggests once the younger individuals in both situations (socio-politically younger in the case of the former, chronologically younger in the case of the latter) become enlightened, it's their responsibility to assume power for and over themselves (see "Quotes," p. 6). He then analyzes previous examinations of social hierarchy by such philosophers as Grotius, Hobbes, Caligula and Aristotle, ultimately suggesting that slavery of any kind (physical, emotional, spiritual) was, and is, established and perpetuated by some kind of force.

Chapter 3, "Of the Right of the Strongest"

The author introduces the question of whether submission to the rule of the strong is a natural inclination of man (see "Quotes," p. 8). He argues that in spite of the precept that "all power ... comes from God," the human power of choice is also in play. He presents this argument in conjunction with an argument that obedience as a result of external force has less value and less enduring power than obedience as a result of a sense of internal duty. He concludes by saying that "force does not constitute right," and returns his argument back to the nature of slavery.



Chapter 4, "Of Slavery"

The author begins his discussion of slavery with the statement that "no man has any natural authority over his fellows," adding that force as an imposition of an unnatural authority is contrary to human nature. He cites two examples to support this premise. First, he asserts that national or social tranquility imposed by a despot or tyrant is in fact a source of misery and suffering, and that people living under the authority of such a man who find their experience peaceful are, in fact, spiritually as well as physically enslaved.

"To renounce our liberty," he says, "is to renounce our quality of man, and with it all the rights and duties of humanity." He illustrates this point through the use of war as a second example in support of the premise that no man has natural authority over any other. He writes at length about how war is not, in fact, about a relationship between individuals, but between states, and therefore cannot be for the individual good. He suggests that men are not naturally enemies, that war is nothing more than the previously discussed (and debunked) right of the strongest, and that no one fighting in a state war benefits, as an individual or even as a citizen of the state, from the war. He concludes that slavery of any sort is ultimately "nonsensical."

This section of Book 1 systematically, and intellectually, attempts to demolish what many might suggest is a fundamental human principle: that socio-political power belongs to the physically strong. At the core of his argument is a theoretical premise that permeates the entire book: that human beings are, at their core, intellectual and spiritual beings, naturally and ultimately inclined toward the betterment of the entire human race. There are references throughout the book to humanity's more animalistic characteristics, most of which boil down to the simple drive to survive. The author does acknowledge that these characteristics can sometimes lead both individuals and communities into inappropriate, potentially damaging expressions of self-will (such as the conquests described in this section). For the most part, however, his theories seem to be grounded in the position that humanity's more aggressive impulses will inevitably be tempered once awareness of a more transcendent, what's-good-for-all-is-good-for-one mentality kicks in. He is, in other words, presenting an argument against the age-old, cross-cultural belief in "survival of the fittest," arguing in this section and throughout the book that not only is that belief grounded in a kind of spiritual slavery, but also that it's essentially anti-humanity.

Throughout the book, his theories about government and both individual and communal prosperity argue that humanity is ultimately and truly best served by individuals living and working in relationship, not in conflict with, other individuals. The overarching purpose of *The Social Contract* is an examination of how socially, politically, and governmentally, this can be made or allowed to happen.



Book 1, Part 2

Book 1, Part 2 Summary and Analysis

Chapter 5, "That We Must Always Go Back to a First Convention"

The author begins the next stage of his analysis by examining the ways in which leaders of the state are given power and authority over others. He suggests first that "the power of deciding for the whole body can only be established by a convention, and proves that there must have been unanimity at one time at least." It should be understood here that convention does not describe a gathering of individuals, but rather a generalized rule, way of communicating, or way of conducting affairs.

Chapter 6, "Of the Social Compact"

The author then describes how it becomes necessary for a Social Contract (convention), to be developed. "The strength of each individual," he suggests, "is insufficient to overcome the resistance of the obstacles to his preservation." In other words, man can accomplish more, in terms of both self-preservation and self-improvement, if he bands together with other men, together acting for the common and the individual good (see "Quotes," p.15). He asserts that banding together in this way produces an irresistible, true moral and collective authority, and refers variously to the body created as city (as in a collection of citizens, rather than a collection of buildings", republic, Body Politic, state (when its activities are passive), and Sovereign (when active). He concludes with the suggestion that it's important for each Citizen to be able to distinguish these various levels of power sharing and usage.

Chapter 7, "Of the Sovereign"

The author argues in this chapter that under the Social Contract described in the previous chapter, a man maintains obligations to both his individual and collective identity - that he has, in fact, formed a contract with himself and with the Body Politic. He asserts that the Sovereign (the term is used here to describe the out-focused will of the group, as to an individual ruler) has the responsibility to keep in mind the will and value of all the individuals who make up the community. He also asserts, however, that those individuals ultimately have the responsibility to surrender their individual will, when it is in conflict with that of the Sovereign as a whole, to that of the group. The author suggests that in doing so, the individual in fact maintains his larger freedom and independence and avoids the potential self-destruction inherent in anarchy.

Chapter 8, "Of the Civil State"

The author suggests that by moving from a state of complete independence into a state of union with the common will, he is actually becoming a better human being (see "Quotes," p. 18-19). "Man loses by the social contract," he says, "an unlimited right to all which tempts him ... in return he acquires *civil* liberty, and proprietorship of all he



possesses." He also suggests that in making this transition, a man gains moral authority for his beliefs and actions, ultimately making him master of himself rather than a slave to others.

Chapter 9, "Of Real Property"

In this chapter the author examines a specific example of what happens to private property when an individual accepts the roles and responsibilities of becoming a Citizen of the state. He develops the theory that the individual's hold on his personal property, and his right to have such a hold, is increased by being part of the state, which (in theory) enacts laws that protect him from someone attempting to take his property by force. He writes at length of the difference between the more anarchic right of possession by force, and the right of first possession bestowed under the state, which he suggests is ultimately more protective of individual possessions.

He concludes this chapter and book with the suggestion that "instead of destroying the natural equality of mankind, the fundamental compact substitutes ... a moral and legal equality for that physical inequality which nature placed among men, and that, let men be ever so unequal in strength or in genius, they are all equalized by convention and legal right." The footnote to this statement is perhaps more important, in that the author suggests that under bad governments, the equality he presents as a theoretical strength is in fact a weakness, used to keep the poor miserable and make the rich richer. He suggests that "laws are always useful to those who have abundance and injurious to those who have nothing," adding that "the social state is only advantageous ... when every individual has some property, and no one has too much."

In his reference at the end of Chapter 9 to the necessity for substitution of moral equality for physical inequality, the author concisely sums up his book's overarching theme - that the moral authority of the group is stronger and ultimately more effective, not to mention more socially and individually nourishing, than that of an individual. It's important to note, however, that while his footnote does acknowledge the way in which factions within a group can manipulate laws and governments for their own purposes, he makes no reference to the way individuals within the group or community can manipulate other individuals. He doesn't seem to acknowledge the socio-political device of the Campaign, writing instead from the perspective that group (Sovereign) will simply manifest, or come into being. Rules and laws, he seems to be saying throughout the book, come into being either by inspiration or insight. At the same time he seems to be downplay (if not ignore completely) the influence of influence.

At this point, it seems appropriate to bring the socio-political "liberal" and "conservative" into the discussion. At its very simplified essence, "liberal" refers to a group-centered perspective, while "conservative" refers to a more individual-centered one. In the case of the former, identity and experience are mostly defined by relationship to and within community, while in the case of the latter identity and experience are defined by the attitudes and desires of the individual self. In this context, then, it's possible to view Rousseau's analysis as being more liberal than conservative. Yes, he recognizes the value of the individual, of each human being's rights, drives, and desires; he firmly



suggests, however, that each Citizen must shape these rights, drives and desires towards the good of all, which he says will then more effectively sustain the good of the one. A more conservative perspective would be that each individual must define the terms of his existence by himself and for himself. The author presents what he sees as the dangers of this perspective, for both individuals and communities within which such self-directed individuals live and work and govern, throughout the book.



Book 2, Part 1

Book 2, Part 1 Summary and Analysis

Chapter 1, "That Sovereignty is Inalienable"

The author begins the examination of sovereignty in this book with the assertion that only the general will of a community of individuals (the Sovereign Will) can direct the state towards decisions defining the common good of that community. He reiterates his previously stated point that only rarely will the Sovereign Will be in agreement with the private will, "for the private will is inclined ... to partiality, and the general will to impartiality." He goes on to suggest that the Sovereign Will is not an inflexible or unchanging entity; it is, on the contrary, subject to constant fluctuation and re-definition. He reiterates another point: that unless the will of leaders of Government is truly reflective of the Sovereign Will, then the Body Politic is destroyed.

Chapter 2, "That Sovereignty is Indivisible"

The first part of this chapter is taken up with a discussion of the statement that either "the [Sovereign] Will is general or it is not; it is either the will of the whole body of the people, or only of a part." He suggests that for the Sovereign Will to be fully general, every vote on every discussion must be counted. He then presents an analysis of how politicians, unable to separate the principle of unified will, have separated its manifestations into separate legal, administrative, financial (and other) jurisdictions, and likens the way they're returned to what seems to be a complete Governmental body to a conjuring trick. The second part of this chapter consists of a condemnation of the social philosopher Grotius who, the author suggests rather cynically, formed his theories with the sole aim of flattering and ingratiating himself with the French king (see "Quotes," p. 26).

Chapter 3, "Whether the General Will Can Err"

The author here develops what almost seems to be a paradoxical theory - that the general will is always right, but the people who (in theory) deliberate and form that will do not always do so from a place of individual, moral decency (see "Quotes," p. 26). He draws a distinction between the Sovereign Will and the "will of all," which he describes as a conglomeration of private interests. He speaks against the formation of associations within the general community, suggesting that if there are such associations it's wise to make sure there are several. Thus they may all be kept equal, in order to "prevent the people from being deceived" (by "associations," the author is referring here to such things as political parties).

Chapter 4, "Of the Limits of the Sovereign Power"

The author suggests that the laws of the Sovereign be formed only with just cause, in the same way as the laws of nature; nothing, he suggests, should become a law without



a good, organic reason. He suggests again that for an individual, life under just and equitable government, in fact, more freeing than a completely independent life - he is, under such government, free from constant worries about having to protect himself, his rights, and his possessions. He adds that within the boundaries of the social contract, government has no right to lay a greater responsibility on one person than another "because then the affair would become personal." He states again that once individuals have adopted the social contract and have learned to live within it, they are happier, more fulfilled, and more productive.

The first thing to note about this section is its detailed discussion of what constitutes the Sovereign Will, the infallibility and ultimate humanism of which forms the basis of his entire intellectual/thematic premise. It's interesting to note here that the author likens the Sovereign Will to the natural order, a link which, as previously discussed, seems to downplay the significance of what might be described as a key human component of the natural order—the oft desperate, unreasonable drive towards self-preservation. (For an interpretation of the author's definition of Sovereign Will, see "Objects/Places".) In other words, again in this chapter the author seems to be writing with the perhaps idealistic belief that human desire is driven more by concerns of soul/spirit/unity, rather than body/possession/fear driven. The point is not made to suggest that the author is naive, but throughout the book there is a sense that he is more hopeful than realistic. Humanity does, after all, have a long history of emphasizing conquest over compassion, albeit in the name of community.

The second thing to note about this section is the way in which it introduces elements of the author's intellectual premise discussed in further detail later. The first of these elements is the changeability of the Sovereign Will, with the reference here foreshadowing the author's discussions of how it's necessary for government to be changeable as well (so it can accommodate the ever-evolving Sovereign Will). Another element is the author's reference in Chapter 2 to the counting of votes, a subject examined in more detail in Book 4, Chapters 2 and 3.

A third noteworthy component to this section is the way the author works to define the balance between what could again be defined as conservative and liberal perspectives - his attempts to balance his acknowledged value of the individual experience with his emphasized value of the group well-being. The previously discussed lack of emphasis in influence is given some attention here, in the passing reference to "associations" (political parties), but for the most part his position on the necessity for the Sovereign Will to dominate alters little.

The fourth noteworthy component of this section is the almost personal attack the author makes on Grotius, his fellow philosopher. The book's introduction suggests that personal slights and conflicts played a key role in the development of Rousseau's various philosophies, and the comments about Grotius here and throughout the book suggest there might be some truth to this statement. This is not to say the author's arguments weaken as the result of this manifestation of something personal in what purports to be an objective piece of writing. Nevertheless, the reader cannot help but be aware of the irony of such comments being juxtaposed with suggestions later in the

chapter that personal biases be eliminated, as much as possible, from what the author says must be an impartial, unprejudiced system of human relations.



Book 2, Part 2

Book 2, Part 2 Summary and Analysis

Chapter 5, "Of the Right of Life and Death"

The author asserts in this chapter that every individual has the responsibility to die in the defense of the state that provides him with security and protection. He also asserts that the state has the right to punish, and perhaps even execute, individuals who threaten the state. Making the distinction that the state has no right to take the lives of those who threaten other individuals. He goes on to suggest that in a well ordered state there are few criminals and therefore few punishments, but after a while he chooses to take his argument no further, suggesting that those who have few errors in his life, and little need for pardon, take the discussion further.

Chapter 6, "Of the Law"

The author suggests in this chapter that law is, in essence, the will of the Body Politic in action taken to promote and preserve its overall well-being. He speaks of all justice flowing from God, "and if we knew how to receive it from on high, we should require neither government nor laws." He suggests that for most individuals, coming to such enlightened understanding, and enlightened legal enactment of that understanding, is difficult if not impossible, and therefore there is the need for the Legislator - someone to interpret, for the Body Politic, an enlightened view and understanding of justice. He describes states governed by such enlightened laws as "republics," governed solely by the public interest

Chapter 7, "Of the Legislator"

The author describes the ideal legislator in extravagant terms that essentially boil down to objectivity, intelligence, leadership and compassion. He describes individuals with these qualities as exceedingly rare, for only all these qualities in combination can lead the vast multitude of individuals within the state to proper understanding of its general will. He states firmly that the Legislator must not be one with any kind of command or authority over other men, but one who understands and enlightens them, since true and just laws can only be decided upon, enacted, and enforced by those who live with and under them - the Body Politic. The legislator, suggests the author, "must have recourse to an authority of another order, which can bear men away without violence ..." In other words, the author seems to be referring back to his first statement of Chapter 6, that true wisdom and law can only come from God. He warns, however, against so-called legislators who pretend or manipulate the laws and language of God to achieve their own ends. Inspiration, he suggests must come truly and humbly from God, citing the lawgivers of the Jewish religion (Abraham) and the Christian religion (Jesus Christ) as examples.



The first thing to note about this section is that the author begins to get into the specific manifestations and applications of his theory. This takes place in his analysis of the position and function of the legislator, an analysis that seems to be based substantially on the historical example of Servius, a Roman lawgiver whose influences are discussed extensively in Book 4, Chapter 4. This is an example of the way practice can define theory; the question, of course, is whether such a theory, based as it is on a specific instance, can be applied in other, probably very different, instances. The author's self-evident position is not only that it can, but that it should. Whether he's right is another question entirely. All that being said, the rest of the book is, in essence, taken up with similar examinations of how theory should be applied. It's interesting to note, however, that in all these discussions of application there is no other example of a practice that gave rise to the theory as there is here.

The second thing to note about this section is the potentially controversial statement made by the author in Chapter 5 - that each citizen of the state has a responsibility to die in defense of the state that protects him. There is significant irony here, in that throughout the book the author suggests that war and inter-state conflict would ultimately cease to exist if every state followed the guidelines for good government that he puts down in his book. War, he frequently comments, is a manifestation of what is ultimately an individual will - that of a corrupt leader. War is, he frequently contends, so ruinous to the lives of both citizen and state that it simply cannot be the result of Sovereign Will, which he consistently maintains is the voice of the common good. The questions here are: Is he a hypocrite? Is he naive? Is he limited in his thinking? Or is he a product of his time, in which war on any level (between neighbors, between cultures, between states, between religions) was the traditional and accepted means of resolving dispute?

The references to God and religion in Chapter 7 foreshadow his arguments against institutionalized religion in Book 4, Chapter 8. His statements in both cases raise the question of whether it's possible for humanity to purely experience the word or teaching of God without it being affected or filtered through human experience.



Book 2, Part 3

Book 2, Part 3 Summary and Analysis

Chapter 8, "Of the People"

Continuing his examination of the process of establishing law, the author first comments in this chapter that a legislator must fully know and understand the people with whom he's working, and judge both the quality of his laws and the timing at which they're presented. This latter, he says, is perhaps most important, in that cultures must be reformed when still in their relative youth, saying that once people have lived with a certain set of established routines and rules, they will be extremely reluctant (perhaps even violently so) to the idea of changing them. He cites the example of Peter the Great of Russia, whom he describes at length as attempting good and worthwhile reforms, but neither knew his people well enough nor judged his timing well enough to allow his plans to succeed.

Chapter 9, "Of the People," cont'd.

The author writes in this chapter of how a state must find a balance of size. If it becomes too large, the author suggests that layers of government power and bureaucracy become so many, so heavy, and so complicated that there is no room for the people to grow. Government can also, he suggests, become too complex in terms of the various types of populations it supports, and therefore unable to meet the needs of any individual. Conversely, he writes that if a state's moral, legal and geographic boundaries are too small, a people's spirit becomes stagnant. He suggests that it's therefore up to the Legislator to carefully monitor and define the state's legal, moral and geographic boundaries.

Chapter 10, "Of the People," cont'd.

The author begins this chapter with an examination of how the right balance must be struck between the size of a state's population and the ability of the land to support it, suggesting that any state that depends excessively on outside influences is fundamentally unstable. He then goes on to say, however, that it's ultimately impossible to make a fully accurate assessment of what that balance might be, since there are what he describes as too many variables, one of which he specifically says is the fertility of women. He offers examples of how two different types of geographical locations, the mountainous and the sea-side, cultures are constructed; the first with troubling restrictions and too much fertility in the women, the second with almost unlimited means of both supporting itself and emptying itself of surplus population.

The second half of this chapter is taken up with an examination of what, exactly, is the right time for a State to be established and for laws to be given, with the author suggesting that the ideal time is a time of relative peace. He suggests that states and



laws formed during a time of war or upheaval generally lead to the establishment of situations that, when things are calmer, prove to be inappropriate or unworkable - or, as he also suggests, coming from an individual who shouldn't have as much influence as he has (see "Quotes," p.45). The author ends this chapter with a summary of the content of this and the previous two chapters, saying that there are few, if any, states that have been established according to these guidelines.

The most important and noteworthy element of this section is the extensive exploration of one of the book's secondary themes: the necessity for the state and its laws to be adaptable to the ever changing needs of the citizens. It's particularly important to note the range of circumstances the author suggests must be taken into consideration - social, geographical, economic, agricultural, etc. Perhaps the most interesting, and potentially controversial, of these circumstances is the reference to the fertility of women; men, it seems from the way in which this idea is developed, have absolutely no effect on how many children are born in a given area. While this may appear to be misogynistic, it must be remembered that this book was written long before a true understanding of male/female sexuality came into common consciousness. Women were, for thousands of years, considered to be the equivalent of a field. Men sowed their seed, and whether it grew into a child depended, in the old belief system, upon the ability of the woman's body to nourish it. Nowadays, the author's intent in making these particular comments might be better phrased using a term like population density. This particular aspect of his argument aside, the author's points here are an essential component of his point that the law of government, and law in general, must evolve in tandem with natural law. Change is, after all, a fundamental aspect of nature that cannot, in spite of the best efforts of individuals in government or not, be stopped.

Meanwhile, it's in this section of Book 2, and indeed of the book as a whole, that the author's tendency to write in paradoxes becomes most apparent. On the one hand, he writes repeatedly, and in extensive detail, about how the Sovereign Will can never be wrong, but then writes in these three chapters of how the individuals who make up that group are flawed in judgment and spirit, narrow minded, essentially selfish, and for the most part rather brutish. Yes, he is acknowledging the previously discussed animalistic side of humanity, but he uses this acknowledgment to ultimately support his theory, the idealism of which is also previously discussed, that wisdom will transcend humanity's darker side. The development in this theory in this section is that this wisdom will make itself known as much through individual leadership (that of the legislator) as through the Sovereign Will. There begins to be the sense here, in fact (a sense that deepens throughout the book), that the author is advocating an intellectual and legal aristocracy - government by people who know as the result of learning, as opposed to by experience, what's best for the people at large. However, where is this knowledge to come from, how is it to be acquired, if not through living among "the people" - and how can one live among "the people" and not be OF the people, in all their brutishness? By rising above them intellectually, the author seems to be suggesting - by being an intellectual aristocrat. Here again there seems to be a paradox - the Sovereign Will can only be defined and interpreted by the experience of an individual, but an individual whose value is defined by living outside the day-to-day life of the experience forming and shaping that will.

Book 2, Part 4

Book 2, Part 4 Summary and Analysis

Chapter 11, "Of the Different Systems of Legislation"

The content of this chapter can be summed up in a quote: "...[B]esides the general maxims of legislation which apply to all, there are particular circumstances confined to each people which must influence their application in a particular way, and render their legislation proper only for themselves." The author suggests that this precept be applied not only to the large, unifying state, but also to the individual communities within the state. Law, he says, should be different for those who live in shipping communities on the sea and for those who live in mountainous agricultural communities. He concludes this chapter with a suggestion that unless natural circumstances are taken into account by the legislator, laws will be weak and the state will ultimately remain in a state of agitation and uncertainty until it inevitably falls apart.

Chapter 12, "Of the Division of the Laws"

The author concludes Book 2 with this chapter, both a summing up of what's gone before and an introduction to Book 3. He suggests that there are four sorts of laws. The first governs the relationships between the Sovereign and the state. The second and third govern relationships between the individuals living within the state (ensuring that each individual remain independent of each other, but dependent upon the state), and also criminal laws. Both sorts ensure that each citizen remains safe and secure. The fourth sort of law is the moral law of custom and opinion, which the author suggests are the foundation of all the other forms. The author then suggests that political laws, constituting and defining government, are the only ones that relate to his overall subject, and with that he moves into Book 3, an analysis of political laws and forms of government.

This brief concluding section to Book 2 is, as discussed, a summing up and a moving forward - a transitional section in which the author's comments in the first two books are specifically delineated as the foundations of the analysis in Books 3 and 4. Within that transition, the author reiterates his theme commenting on the necessity for adaptability in both law and government.



Book 3, Part 1

Book 3, Part 1 Summary and Analysis

Chapter 1, "Of Government in General"

This chapter contains several definitions of government - or, more accurately, definitions of several aspects of government. The first aspect defined is its essential human context. "Every free act," the author suggests, "must be produced by the concurrence of two causes: the one moral, that is to say, the will which must resolve upon the act, the other physical, that is to say, the power which must execute it ..." In other words, there must be a need, the will to address the need, and the capacity to act upon that will. The author suggests that need is felt by the citizens; the Sovereign Will is an expression of desired action to meet that need, and that government is a manifestation of a capacity to take that action.

The second aspect of government defined in this chapter is the way that manifestation functions. Government, the author says, is "an intermediate body established between the subjects and the Sovereign, for their mutual correspondence, charged with the execution of the Laws, and the maintenance of both civil and political liberty." In other words, it exists in the best interests of, and with the intention of bring into reality, both the Sovereign Will and the good of the state.

The third aspect of government defined in this chapter is that of the "Magistrate" or "Prince," the individual endowed with the power to lead the government - an endorsement, the author suggests, that he (the Magistrate) receives from the people (via the legislator) as a manifestation of the Sovereign Will.

The author undertakes a mathematical, proportional analysis to illustrate how much the individual's will or voice are taken into account relative to the number of individuals in a state, proving that the larger the state, the less the influence the individual will have. He also suggests, however, that government is in fact a microcosm of the state, with the will of the magistrate manifesting as the will of the people. He proposes that while "there cannot possibly be more than one good Government in a State," there cannot be "one unique and absolute arrangement of Government ... proper for every State." The implication here is that within each larger state there must be smaller states with separate governments, each with individual degrees of independence relative to the nature of the state community (see Book 2, Chapter 11).

The author concludes this chapter with a suggestion that while government is an artificial creation, it can still act and behave with a genuine sense of connection with the people, but must be careful to establish and maintain good relations - otherwise the best government can easily become the worst.

Chapter 2, "Of the Principles which Constitute the Different Forms of Government"



The author asserts that each magistrate has, at any one time, three levels of will operating within him. These are his will as an individual, the will of the body of magistrates (i.e. the will of government), and the will of the people, or the Sovereign Will, which he says must be the governing or predominant will. He then asserts, however, that the natural order of things is that the individual will is the stronger - the opposite, he says of what "the social order requires." As a result, he says, if the power of government rests with one man, "the private will and the group-will are perfectly united, and the latter consequently enjoys the highest degree of power it is capable of possessing." In other words, the best and truest government is that in which one man holds ultimate power - one man as representative of all men (the Prince).

He argues that the business of government, which is, after all, the empowering of the Sovereign Will, is slowed by the number of people (i.e. bureaucrats) bringing it into reality, and that "the more the State extends, the more the Government must be compressed, so that the number of [Magistrates] may diminish as the number of the people increases." He recognizes, however, that the more magistrates there are, the closer the government will become to the will of the people, while government by one man is ultimately government by individual will. Further, he argues that "what is lost on one side is gained on the other" - the loss of representation of the Sovereign Will is offset by the gain in freedom from government complication. He suggests that the great art of the legislator (an individual who, as he suggested earlier, is a different person from the Prince) is to strike the balance between the numbers of magistrates, the expression of the Sovereign Will, and the power of the Prince.

Once again in this section, the author's tendency to write in apparent paradoxes emerges. This is particularly true of Chapter 2, in which he acknowledges the inherent paradox of more government being worse government but less government not necessarily being good government. There is also a second paradox at work here, in that his earlier suggestion that the laws of good government echo the natural law seems to conflict directly with his assertion that good government must, to be effective and valid, be constructed against the laws of nature. His theory, his way out of this paradox, essentially boils down to accepting the lesser of two evils. Those evils, according to the author, are too much government or the risk of the people being governed by a will that is more individual than Sovereign. The author's assertion that the latter is preferable to the former may very well be debatable. In the case of the former, it's possible or even probable that the Sovereign Will is indeed being met; it just takes a while for it to filter through the bureaucratic process and become a reality. In the case of the latter, it seems more likely that the Sovereign Will could become either diluted or ignored completely, in that rule by an individual is less likely to be concerned with the will of all.

Meanwhile, the author's assertion that when government is headed by an individual leader (the Prince) "the private will and the group-will are perfectly united" seems, at best, to be idealistic and, at worst, laughable - that is, from a contemporary perspective. It must be remembered that *The Social Contract* was written at a time when there were far fewer potential corrupting influences operating in and around government and its leaders. The point is not made to suggest that there were none - on the contrary. The socio-political-economic boundaries of the known world, however, were much smaller



250 years ago, as were populations (and varieties of populations) within the boundaries of a particular state. It was much easier for a leader to be closer to his people and to have the necessarily focused perspective with which to govern those people than he/she would have today.



Book 3, Part 2

Book 3, Part 2 Summary and Analysis

Chapter 3, "Of the Division of Governments"

The author here divides types of government into three categories - democracy (in which power is given to the people, as represented by magistrates), aristocracy (in which power is confined to a small number), and monarchy (in which power is in the hands of one man, who distributes it to his magistrates). The author discusses ways in which power moves back and forth between the three categories, and is shared in various ways. He comments that throughout the ages there have been disputes over which form is best, and theorizes that democracy is most suitable to small states, aristocracy to those of middle size, and monarchy to the largest. He doesn't, however, offer definitions (even approximately) of small, middle and large.

Chapter 4, "Of Democracy"

The author suggests in this chapter that democracy is an unwieldy, inefficient sort of government - unless, he says, there are three core conditions. These are that a state is extremely small so that all its citizens know each other, that there must be a set of rules governing the always potentially tedious process of public debate, and that there must be utter equality in the rank and fortune of all its citizens. He also suggests that no form of government is more prone to ongoing civil wars and socio-political agitations, adding that no other form of government needs "more vigilance and courage to maintain it ... [requiring] the Citizen to arm himself with strength and constancy..." He concludes with the suggestion that if a nation were populated by gods, it might be governed by a democracy.

Chapter 5, "Of Aristocracy"

The author asserts that there are three forms of aristocracy - the natural (involving government by those with age or experience), the elective (in which power is bestowed by popular vote) and the hereditary (in which power is taken by those born into a tradition of having it). He also asserts that the first is only effective in small, uncomplicated states, that the third is the worst possible form of government, and the second is the best. He says the main reasons for this are that those with the most knowledge, integrity, and experience will be the ones elected, and that these individuals are capable of conducting the business of government efficiently and wisely. "... It is the best and most natural rule," he says, "that the wisest should govern [the People], when there is an assurance that they will govern for its welfare, and not for their own." He allows that the aristocratic system of government allows for a certain disparity in the distribution of wealth and influence, but suggests that this has certain advantages. These are that those in positions of power can give all their time and attention to good



government, and that it can sometimes teach the people that there are other ways of judging and appreciating merit than wealth.

Chapter 6, "Of Monarchy"

The author contrasts other forms of government with monarchy in this way: "...where a collective being represents an individual, [in monarchy] an individual represents a collective being..." He adds that "if there is no government which possesses more vigor ... there is not one in which the private will has greater influence, or domineers more easily over the others ..." He suggests that the will of the monarch is for absolute power and for the people to be kept subservient. He asserts that under a monarchy, the people feel a gap between the Prince and themselves, making an intermediary body (such as an aristocracy or system of magistrates) better represents their interests. The author also suggests that the system of advisors to a Prince is bound to be corrupt and driven by self interest, and that "the People are much less often mistaken in their choice than the Prince is."

Another significant problem with a monarchy is the question of how power is to be transferred from one monarch to another, pointing out that the main flaw in the system of doing so by inheritance is that those who inherit the title may, for one reason or another, be completely unsuitable. He comments on the way that other authors and philosophers, mostly religiously oriented, have defined the rule of bad kings as punishment from God, but suggests that such discussions are better confined to the church, adding that the object of a people should not be determining how to endure a bad government, but how to find a good one.

The merit of this section lies in the way it defines clearly, and within the context of this book with exceptional succinctness, the definitions between the three main forms of government. It's important to remember, however, that as is the case with much of his analysis, the author takes an idealized view of both the processes he defines and of the people in power applying those processes. A vivid example of this is his perspective on the kind of individuals who would/could/should be elected to a magistracy, and in particular his contention that those with money and influence would be able to more thoroughly devote their time and attention to good government. Is it cynicism to suggest that such individuals have, in fact, more time to devote to making government fit their own needs and plans? To his credit, the author does acknowledge the weaknesses of each system, but seems to be operating from the premise that both the systems themselves and the Sovereign Will that enables them to be put into practice are ultimately infallible. The question here, as with most philosophies, is whether the theories are grounded firmly enough in reality to be fully and realistically effective.

At the conclusion of this section, the author again develops a paradox. He states frequently throughout the book that good, true government is inspired by the will and ways of God, but then suggests at the end of Chapter 6 that those who attempt to lead government by discussing its role and responsibilities in religious terms are, in fact, doing both government and the people a disservice. Is it splitting hairs to call into question the difference between a relationship with God and religion? Is it possible to



have an inspiring relationship with God without the influence of religion? Not in the author's time, it wasn't - or at least those who professed to have such a relationship were regarded as heretics if not lunatics. That being said, his concluding comment in this chapter (that the people should be constantly striving to improve government, not searching for ways to endure a bad one) is very well taken - and perhaps should have been taken, and perhaps should still be taken, by states past and present.



Book 3, Part 3

Book 3, Part 3 Summary and Analysis

Chapter 7, "Of Mixed Governments"

This brief chapter defines the author's view on which form of government is best. He suggests that ultimately whatever is simplest, whatever fosters the best and most mutually rewarding relationship between the Sovereign and the Prince, is the best. He adds that "the establishment of intermediate Magistrates" prevent abuses of power on both sides, and keep government from becoming too relaxed, too self satisfied, and too self serving.

Chapter 8, "That Every Form of Government Would not be Proper in Every Country"

The author develops the point first raised in Book 2 Chapter 10 - that geographical regions with different climatic, agricultural, economic and social strengths and needs fit, in different ways, into the balance between the different levels of government. He examines in great detail the relationship between soil productivity, population and government, making broad generalizations about (for example) the food people eat and the way people dress affect population densities and cultural touchstones. He also draws another generalization: "though warm countries need fewer inhabitants than could countries [because they need fewer people to work the soil and make it productive], they are able to support more inhabitants than cold countries [because the soil is more productive and it's more pleasant to live there]."

He then uses these generalizations to support his statements about revolution and insurrection - warm countries, he implies, are more often the scene for such activities because there are larger numbers in greater concentrations, and therefore it's easier for the People to communicate and formulate discontent. "The country which is least populous," he says, "is therefore the most proper situation for a tyrant; ferocious beasts reign only in deserts."

Chapter 9, "Of the Signs of a Good Government"

The author opens this chapter with the statement that it's impossible to define absolutely which form of government is best, but that the sign of a good government is absolute. This sign, he suggests, is that the population and overall well being of the state increases - but also acknowledges that individuals living within a state have different definitions of what constitutes good government.

Chapter 10, "Of the Abuse of Government"

The author asserts that governmental abuse of power is inevitable, as is the degeneration of its authority, with the result that the will of the body politic and the state are eventually destroyed. He suggests that this happens when the government becomes focused on meeting its own needs and desires rather than on enacting the



Sovereign Will of the people. He adds that when that happens to government, "Citizens ... are from that time constrained by force, but not obliged by duty, to obey." He then suggests that all three forms of government (democracy, aristocracy, monarchy) have equal potential for deterioration, which in all cases results in the death of the body politic.

Chapter 11, "Of the Death of the Body Politic"

The author suggests in this chapter that the death of the body politic occurs not only as the result of the deterioration of government described in Chapter 10, but also as the result of a lack of strength in the body politic's constitution. The author contends that this lack of strength springs from an inability or reluctance to evolve or change, that in many states and governments there is too much reverence for old laws that are no longer relevant to present circumstances.

The first noteworthy element of this section is the way that it quite insistently develops the book's second overarching theme, that good government must be prepared, willing and able to define and re-define itself according to the needs of the people. It must, in short, be adaptable. An implied aspect of this adaptation is that one of the functions of the lawgiver is to monitor old laws, judge whether they're still applicable, and alter those that aren't. This idea is developed further throughout the remainder of Book 3.

The second noteworthy element of this section is the intensity of its warnings about what could, and indeed will, happen, if this adaptability falls short - if government fails in its essential purpose to simultaneously shape and be shaped by the Sovereign Will. The dangers of this situation are more vividly defined here than anywhere else in the book, making this section (in combination with the previous section, in which the various kinds of government are so clearly defined) the most essential to understand of the entire work.

The third noteworthy element of this section is the author's contention that sparsely populated communities are those that provide the most fertile breeding ground for potential tyrants. This is definitely arguable - domineering regimes ranging from those of Ancient Rome to the British Empire to the contemporary American empire (which many would argue is, at the very least, a domineering military and economic presence) are also those which have large central populations as well as broadly scattered sub-states.



Book 3, Part 4

Book 3, Part 4 Summary and Analysis

Chapter 12, "How the Sovereign Authority is Maintained"

The author begins his examination of this question by suggesting that the best and clearest way for the Sovereign Will to be voiced and understood is through an assembly of all the citizens in the state. He initially suggests that gathering so many people seems to be impossible, but adds that if there is enough will anything is possible (see "Quotes," p. 80). He cites the early government of Ancient Rome as an example, said government involving meetings of the entire populace every few weeks, supporting this citation by stating that "to infer what is possible from what has happened seems ... to be good reasoning."

Chapter 13, "How the Sovereign Authority is Maintained," cont'd.

Further to the point of government by assembly, the author suggests that there be two kinds of assembly: that regularly scheduled to deal with the day-to-day business of running the state, and that called in emergencies. He adds, however, that assemblies by the people that fall outside those parameters "must be considered illegal." The author then addresses the question of how the principle of government by assembly should work when there are several cities within a state. His first proposal is that no matter how many cities there are in a state, they must be considered as being unified within the state's Sovereign Will. Second, he suggests that for the same reason, no city can be placed one above another - this, he suggests, is also the reason that no once city should remain the capital of the State, but that the capital should move from city to city (see "Quotes," p. 82).

Chapter 14, "How the Sovereign Authority is Maintained," cont'd.

The author here suggests that when such assemblies as he referred to in previous chapters meet, the power of magistrate, legislator and Prince is null and void. Under those circumstances, he writes, the Sovereign voice of the people is what is to be heard, and from which guidance is to be taken. He suggests that under less than perfect governments, where magistrate, legislator or Prince are keen to keep and maintain their power, they do everything they can to prevent assemblies, but adds that in circumstances where there seems to be danger of this happening, an intervening authority can, and should, be introduced.

Chapter 15, "Of Deputies or Representatives"

The author comments, with a certain degree of evident disdain, that focusing attention on money, the rewards and luxuries it offers, and the freedom from difficulty it seems to engender, is actually a form of slavery. Individuals focused on this aspect of life and living according to its demands are, he says, no longer free. He suggests that in a



similar vein, those who hand over their political or governmental power to representatives or deputies are in fact slaves to the will of those deputies, rather than free men making their own voice heard through the Sovereign Will. "Where right and liberty fill the minds of men," he suggests, "little regard is paid to any inconveniency that may occur." Inconveniency here refers to anything that, in the context of this chapter, takes the citizen away from what he perceives as his life of relative ease. The author refers to how the citizens of Rome were freed from day-to-day chores by the work of slaves, and how this enabled the citizens to participate freely in the running of their state. He then suggests that instituting slavery, i.e. limiting the freedoms of some, might have been, at the time, considered a worthwhile price to pay for ensuring the liberty of the greater number, adding that he isn't advocating slavery, but explaining why the Ancient Romans had no need of representatives.

There are several noteworthy elements in this section. The first is the apparent paradox between banning unsanctioned assemblies and the frequently advocated principle of government adaptability. If, as the author maintains, the Sovereign Will is only to be made evident through assembly, how is a government to know when its actions are no longer fulfilling the Sovereign Will if there is no right of assembly to make a change to the Sovereign Will evident? In other words, the author's position against unsanctioned assembly seems to run contrary to his similarly firm position against government becoming self-satisfied and self-focused.

That being said, there does appear to be merit in his argument that the geo-political focus of government, the capital city in any state, should be mobile. In medieval times, monarchies were constantly on the move. This was partly because the extravagances of courts and governments of the time tended to drain an area of its resources, but also because monarchs tended to recognize that their people were happier if, at least once in a while, they felt as if they were truly part of the process and connected to their government. The principle of mobility would, in fact, seem to support the author's earlier discussed preference for simpler government - the less bureaucracy, the easier it is to move. Of course in contemporary society, with its access to instant communication (the Internet, palm pilots, cell phones, etc.) distance is less of a concern than ever - even the largest bureaucracy today is, essentially, both mobile and stationary, in that the offices remain in place but the people running those offices can do so from anywhere.

The argument against complex government and bureaucracies is also developed in this section, mostly in Chapter 15. The author suggests that local representatives, delegates to Parliament and/or people's Congresses are, in fact, an unnecessary level of intermediation between the Sovereign Will and the magistrates or Prince. The more direct the line of communication—the more directly the Sovereign Will is expressed—the better off the State will be. The problem, of course, is that bureaucracies and politicians (as the author does acknowledge) have a tendency to evolve into a premise of action based upon their individual will and needs rather than those of the people they serve. This is one of the (relatively rare) instances in the book in which the author gets human nature, and its potential affect on good government, right. He also gets it right when he refers to the way a focus on getting and maintaining financial status can become



dominating. What he doesn't get right is his perspective on the potential value for a Government to base itself, at least in part, on a socio-economic foundation of slavery.

This last is a repetition of the author's suggestion that good government rests on the application of the "lesser of two evils" principle. Previously (Book 3, Part 1) he suggested that the dangers of rule by an individual were less potentially dangerous than the potential barriers to accomplishing the Sovereign Will posed by too much government. Here he suggests that the potential negatives associated with a system of slavery were a worthwhile price to pay if keeping slaves afforded more individuals time to participate in government. As was the case in his first "lesser of two evils" argument, his premise here is arguable. Is the establishment and maintaining of a socio-economic environment founded on slavery ultimately for the common good? Are the principles of freedom, the right to have opinions and the right to vote best served by limiting those who have access to them?



Book 3, Part 5

Book 3, Part 5 Summary and Analysis

Chapter 16, "That the Institution of Government is not a Contract"

At this point, the author suggests that the establishment of some kind of executive power in government is necessary. He points out that if the Sovereign Will itself enacted laws, "right and fact would be so confounded that there would be no means of distinguishing what was or was not law" and the body politic would fall apart. This is the reason, the author asserts, that a Prince in government is necessary: to do what the people, as members of the Sovereign Will and the body politic, cannot or should not do. He also suggests that those Princes, whom he describes as an executive body of government, are fulfilling their duty as citizens - members of the body politic - not their will as individuals. He describes such an arrangement as an association, willingly entered into and mutually agreed upon - with the implied understanding that the Prince, no matter his position, is still subject to the Sovereign Will.

Chapter 17, "Of the Institution of Government"

The author begins this chapter with the statement that instituting government is a complex act, consisting of two parts - the establishment of law (defining the body of government) and the execution of law (the naming of chiefs, or princes, charged with running the government). This last, the author takes pains to point out, is not a law in itself but a manifestation of law. He also points out that it seems at first to be a paradoxical relationship; how can law be established to define government when no government exists to define law? He suggests, however, that it's an "astonishing property of the Body Politic" that Sovereign Will can be transformed into democracy, and cites the British House of Commons as an example of how it works. The assembly (essentially an embodiment of Sovereign Will) breaks into committees for "the discussion of affairs." Those committees report back to the Commons and debate what has been discussed. In other words, the Sovereign Will has been distilled, and the assembly remains in either its larger form or is itself distilled (according to laws defined by Committee and agreed upon by the assembly).

Chapter 18, "The Means of Preventing the Usurpations of Government"

The author begins this chapter with a summary of the statements and theories of the previous two chapters. He also suggests that government, once established, should never be altered in case disruption of the state should result (he says there is one exception to this rule - if government no longer serves the people). He then goes on to say it's important for government and the state to fully understand the difference between the Sovereign Will and the will of a noisy, tumultuous few. He suggests that both the Sovereign and the Prince must be careful to not descend into despotism or tyranny, banning public conversation and assembly for the sake of maintaining power.



He also reiterates the point first presented in Book 3, Section 3, Chapter 14 that regular assemblies will prevent tension from building to the point where unlawful, anarchic assemblies arise. He also suggests that at each regular meeting of the assembly, there must be two votes - whether the Sovereign Will wishes to preserve the present form of government and whether the Sovereign Will wishes to leave the administration of that government with the current executives. The author concludes this chapter, and indeed this book, with the statement that "it would be absurd to suppose that all the Citizens united in Assembly could not do that which might be done by each of them separately."

This section, in clear contrast to the relative clarity of Book 3 Part 2, is among the most convoluted of the book. Ultimately, his argument seems to boil down that there must be assemblies within assemblies - in modern terms, committees within committees, smaller groups focused on exploration of an issue presenting findings to large bodies able to focus on implementation. As is the case with much of the book, there is an inherent paradox here. On the one hand the author argues frequently against too much government; but what, after all, is the assembly-within-assembly principle but an advocating of more government? He also speaks, with less frequent but no less insistent consistency, that government by individual is fraught with various dangers, but then in this chapter suggests that on some level, an individual must be the ultimate decision maker in government.

All that said, there does seem to be, within the author's layers of theorizing, a solution to all these paradoxes: government must be adaptable, taking one form to meet one set of needs, staying in that form as long as those needs exist, and then taking another form as soon as the needs themselves change form. The question, of course, is how realistically applicable is this theory - and how it's possible to apply it at all when, according to the principle of regularly scheduled assemblies, the door to change in government only opens at the times government allows it to be. Again, if there is no possibility for spontaneous, independent assemblies - which can be seen as spontaneous, independent expressions of Sovereign Will - how can a government know when people are ready for change on their terms and on their time as opposed to the governments?



Book 4, Part 1

Book 4, Part 1 Summary and Analysis

Chapter 1, "That the General Will Cannot Be Destroyed"

The author states in this chapter that as long as the people create and define their government according to the pure Sovereign Will, their state and nation will prosper and run peacefully. He also asserts, however, that once private, individual will and interest begin to dominate the decision making process of government, what is called or perceived as the Sovereign Will becomes an illusion. Laws become false, the social bond becomes empty, and "the sacred name of public good is [used] to cover the basest interest." He goes on to write that under such circumstances the Sovereign Will is not gone, but has been made subordinate, and individuals are merely evading it.

Chapter 2, "Of Suffrage"

The author declares here that in a government or an assembly, the greater the majority of votes on a particular question, the purer the expression of the Sovereign Will. He draws a distinction between free votes and those influenced by the will of a despot or tyrant, which may also display high majorities but which are ultimately a group expression of a powerful, domineering individual will. He then goes on to suggest that only one law requires truly unanimous consent: the law committing the state to the social contract, the agreement that all men are created free and equal. He examines a particular paradox within the contract: how can a man be free if he disagrees with the majority and is forced to live under a law he believes to be wrong? The author asserts that it is this man's responsibility to accept that the will of the majority is in fact an expression of the Sovereign Will, which he (the author) says is always right. He (the man) must therefore, for the state's good and his own, accept that he was wrong, that he was not living in accordance with the Sovereign Will, and was therefore not free.

The author concludes this chapter with the suggestion of three rules governing interpretation of votes. These are that "the more serious and important the deliberations are, the nearer the number of votes which pass them should approach unanimity" and that "the greater necessity there is for expediting the affair, the smaller may be the majority ... and on motions which require to be determined on the spot, a majority of one may be sufficient." He suggests that while the first seems most applicable to government and the second to business, a combination of the two is the appropriate balance on all occasions.

Chapter 3, "Of Elections"

The author suggests that the choosing of Princes (leaders) by lot or chance rather than by vote is truer to the laws of nature, explaining that such positions are often so arduous that they cannot be fairly imposed on one person rather than another, either by vote or



by appointment. He then examines in detail the government of Venice (at the time of writing), using it as an example of an effective balance between aristocracy and democracy, between election by lot and by vote. He goes on to suggest that certain positions requiring particular skills and experience should be decided by vote, while selection by lot is appropriate for other positions "when good sense, justice, and integrity are sufficient ... for in a well constituted State these qualities are common to all the citizens." The author then suggests that he needs to examine the ways of offering and collecting votes, saying that perhaps the most useful point of attack would be to examine the voting practices of Ancient Rome.

This section contains what may well be the most potentially contentious argument the author puts forth - that a minority voter is invariably, inevitably, and inherently wrong. It's possible to see how or why the author can arrive at his conclusion; throughout the book he essentially is arguing that a majority vote, on any subject and in any circumstance, is an expression of the Sovereign—or group—Will, and therefore cannot be wrong. This is, as previously discussed, an essentially liberal premise (liberal being broadly defined as being grounded in a broad perspective, as opposed to conservative, broadly defined as being grounded in a narrow perspective).

However, the limitations imposed on individual views by the author's contention here are profoundly conservative. He is, essentially, advocating not just the silencing by the group of dissenting individuals, but also an individual silencing himself. By implication, he is suggesting that individual dissent based on experience, education or observation has the same weight and value (that is to say, none) as dissent based on sheer cussedness, obstinacy, or selfishness. In this circumstance, a dissenting member of an assembly is essentially a voice screaming for help in the midst of a tornado. The question must be asked, Where, in this scenario, is the much vaunted good to the individual which, according to the author, is inherent in the kind of government he advocates right from the beginning of the book?

Another source of potential contention is the author's assertion at the beginning of Book 4 that the Sovereign Will cannot be destroyed, only evaded. He makes no mention (at least not here) of the way it can be ignored or manipulated, apparently once again arguing from an almost naive position of belief in ultimate human good and worth. It's almost as though in spite of his previously discussed contention that government must be free of religion, he's writing from a spiritual place. In other words, there are at times an undertone to his argument - that the Sovereign Will is a kind of manifestation of the human spirit, that part of the individual that is connected to God. In this context, it's possible to interpret his argument throughout the book as being one of essentially the live of the spirit in contention with the life of the body.

A third potentially contentious argument is the author's theory about the number of votes necessary to pass a law. On the one hand, this can be seen as a manifestation of one of his essential, thematically relevant principles - that government must be adaptive. On the other hand, the author seems to ignore a potential problem: what defines an emergency, a serious issue, is a matter of lesser importance. One man's desperation is another man's frivolous fancy - who decides which perspective is the right one? The



author would probably suggest either that a majority vote decides (in which case the question of the unquestionable rightness of the majority comes back into play), or the individual opinion of the magistrate or the Prince makes the decision. In that case, the author's vision again becomes paradoxical, in that he's arguing for both government by group and government by individual (with all its inherent potential for corruption). Is this again a case of the author choosing the lesser of two evils? Previous arguments in *The Social Contract* would appear to bear out the assertion that it is, but here again the question must be raised: Is this truly the individual-respective, good government the author professes to be in search of, and advocating?

Meanwhile, the author's explanation of the different values of choosing by lot and choosing by vote seem, at first glance, to be another manifestation of one of the book's central paradoxes - the author's simultaneous determinations that government should be a manifestation of natural order but must also, at times, construct itself in direct opposition to that order. Worthy of particular note here is what seems to be the most overt explanation of what the author defines as the natural order. This is his apparent belief that all good citizens have the same amount of wisdom or knowledge necessary to participate in, understand, or define good government. This is, to put it plainly, a fundamental flaw in his argument. All men are not, in spite of the best intentions of lawgivers, politicians and spiritual leaders, created equal; there are differences in intelligence, capacity for understanding, relationship between intellect and emotion, all kinds of differences. Therefore, Rousseau's argument here that any good citizen is capable of serving or understanding government with equal ability is simply wrong. What Rousseau and those who support his contentions are in fact talking about is that all individuals must be *treated* equally, regardless of any difference whether it be that with which the individual was born, that into which he was born, or that into which he grows or matures. If examined in this context, it's possible to see that Rousseau's arguments are more valid than not. However, because he doesn't argue from this context, it's possible (and likely) to see that his arguments are fundamentally flawed. In other words, he is arguing from an idealistic rather than realistic perspective - if he saw humanity for what it truly is, rather than as what he believes it should be, the book would have a much different sensibility and its understandings of universal human truth and experience much more applicability and relevance.



Book 4, Part 2

Book 4, Part 2 Summary and Analysis

Chapter 4, "Of the Roman Comitia"

The author recounts in extensive detail the way the government of Ancient Rome was formed, describing how the lawgiver Servius divided the population into mathematically precise, geographically appropriate, and economically divergent groups, each of which had its own particular socio-political-economic place in the running of the city. The author says that in spite of the apparent power of the aristocratic and moneyed classes, there were enough checks and balances in the system that the "one citizen one vote" principle functioned perfectly for twenty years - until, he writes, unscrupulous citizens began to sell their votes and find other ways of circumventing the process. Nevertheless, the author maintains that government in Ancient Rome was closest to the natural order, and therefore the most effective, of governments both ancient and contemporary (see "Quotes," p. 108).

Chapter 5, "Of the Tribuneship"

The author suggests in this chapter that when a just, effective balance between the various levels of government proves difficult, a system of tribunes should be established. These individuals, he suggests, serve as mediators between the Sovereign, the government and the Prince, protecting one from the other, preserving the laws, and ensuring that none has disproportionate power. He describes the tribuneship as having great power, "for though it can do nothing, it can prevent everything." He warns against giving tribunes too much power, saying that if such a thing happens they might upset the balance of government and become a tyranny. He makes two suggestions aimed at preventing this: that the number of tribunes in any situation be limited to two, and that every few years tribunes be removed from the system of government so that no tribune can continue to gather and build power for an inappropriate amount of time.

Chapter 6, "Of the Dictatorship"

The author begins this chapter with reference to how the processes of government and of law creation sometimes run too slowly to meet effectively with emergency situations, and suggests that the law allow, in such circumstances, for the temporary suspension of law and the creation of a dictator. This, the author writes, would be an individual with the power and wisdom, as well as the support of the state, to do what needs to be done to see the state through the emergency. He also writes, however, that the terms of power given to the dictator be extremely limited, in that there is great danger for individual and societal corruption within such a system. He refers to how dictators appointed in Ancient Rome often abdicated their responsibilities before their legislated term of service was over, since they felt it was arduous and also that it wasn't good for the people.



Chapter 7, "Of the Censorship"

The author suggests in this chapter that in the same way as government proclaims and enacts the Sovereign Will, the censor monitors and enforces Sovereign morality - defining what behavior is "good" and "bad" for the state, preventing individual morality from being corrupted, and "sometimes even [fixing] opinions when they waver." There is the sense in this chapter that the author believes such government-defined monitoring of morality is both wise and necessary.

This section of the book is defined by its specific examinations and applications of principles it has discussed in hitherto mostly theoretical terms. This occurs most thoroughly in Chapter 4 as the author recounts in detail the way in which Rome was governed. It becomes very clear in this chapter that the rest of the book, and indeed the author's essential theoretical premises, are defined by what seems to have taken place in the Rome he describes here. It's interesting to note that he seems to be fully aware of the potential flaws in the ancient Roman system, flaws that his discussions of tribunes, dictators and censors here seem particularly aimed at addressing. Then again, the author ultimately seems to be arguing from a place of idealism, of a belief in how individuals should be rather than an awareness of what they actually are. Yes, Servius is portrayed as taking actualities of human nature into account, but based on the descriptions of his plan in this chapter, the government he created was ultimately more complicated than the simpler government advocated by the author earlier. It's possible, therefore, that the author's position on governmental simplicity evolved as the result of his interpretations of the Roman situation - that his advocacy of less government springs from his understanding of the flaws in Servius' system. Here again, however, there is a paradox - he is, essentially, arguing for both more government and less, in the same chapters.



Book 4, Part 3

Book 4, Part 3 Summary and Analysis

Chapter 8, "Of Civil Religion"

The author begins this lengthy chapter with a summary of the history of religion. He describes how ancient peoples regarded nature as a manifestation of the will and power of several gods, how those peoples did not distinguish the laws of those gods from the laws of government, and how those peoples respected the existence of the other gods of other peoples. He suggests that monotheism (the belief in one god to the exclusion of all others) developed with Judaism and developed further with Christianity, the emergence of which, the author maintains, caused the separation of church and state. This, he writes, was the reason that Christians were persecuted. Their beliefs, and their ways of acting on those beliefs, were too dangerous to the (relatively peaceful) status quo. This perceived danger, the author suggests, was the result of the Christian belief that ultimate authority for human existence comes from God, not any earthly state or government. He goes on to suggest that the result of both Christian belief and perceptions of those beliefs was "perpetual conflict [over] jurisdiction ... men could never certainly inform themselves whether it was the [prince] or the priest they were bound to obey."

The author then suggests that no successful state has ever been established or maintained without having religion at its basis. He also suggests that Christian law is ultimately more injurious than useful to the state (see "Quotes," p. 122). He says the reason for this is that the basic tenets of Christian faith (trust in the will and laws of God) are in fact antithetical to the function of the Sovereign (trust in the will of the community) and the state (trust in the value and function of the individual). He goes on to say that emphasizing the Christian religion in the function of the state draws the attention of its citizens away from earthly concerns, and this he sees as profoundly destructive, since "Christianity is a religion entirely ... occupied only with the things of heaven." He adds that in Christianity the Sovereign Will is supplanted by the will of the priest, which he suggests is a corruption of the will of God, which he describes as being essentially the natural order - the Sovereign Will. He also suggests that in spite of the many positive aspects of Christianity (which he goes to great pains to list), there is one overriding potential negative - intolerance. He suggests in this context that the religion of the state should be exactly that - an enactment and/or embodiment of faith in the state's manifesting the Sovereign Will, the natural order.

Conclusion

The author concludes his book with the statement that the next stage of his analysis would logically be to examine his theories in the context of relationships between states, but refrains from going into such an examination, saying the subject is "too vast for [his] circumscribed view..."



The essential premise of this section echoes the several occasions throughout the book when the author maintains that any manifestation of the will of a minority (to coin a phrase, a non-Sovereign will) is ultimately a danger to good government. As it was on the previous occasions when the will of a minority was discussed, even a minority of one, the author's contention is that the well being of the state is best served when anything that challenges it, or even might challenge it, is suppressed and ignored. Three important aspects to this argument must be considered. The first is that it essentially devalues individual experience of the sort that government, throughout the book, is intended to protect. The second aspect to this argument is related to the first, in that the author's advocating of the suppression of dissent savors distinctly of the sort of totalitarianism the author warns against throughout the book. It's essentially another paradox, one that could be perceived as hypocritical.

The third thing to note about the author's perspective on Christianity relates more to the book's context than to the book itself. It must be remembered that *The Social Contract* was written during the mid-eighteenth century, a time in world/social/religious history in which the rule and influence of Christianity, at least in Europe (this book was written in France) was unchallenged and un-challengeable. The views presented in this chapter would have been considered rebellious to the point of being heresy, which is why (as the introduction suggests) Rousseau was forced to leave France upon the book's publication. There is a distinct irony here, in that while advocating suppression of dissent Rousseau is in fact suffering from what he's advocating - he's dissenting, and he's suppressed.

There is also irony in the author's conclusion. When he refers to his narrowness of view, he seems unaware of the fact that his perspectives in this book on the similarly vast subjects of law and government are circumscribed by a similar, if not identical narrowness. He seems, in short, to be so caught up in the possibilities and rightness of his ideas that he is unaware of their, and his own, limitations and potential flaws. The point is not made to suggest that the entire book, its premises and theories are entirely undermined by the author's limitations, but rather that those premises and theories are essentially a starting ground for exploration and discussion that is both theoretical and realistic.



Characters

The Author

Grotius

Hobbes, Caligula, Aristotle, Plato

Servius

The Citizen

The People

The Legislator

The Magistrate

The Prince

The Despot/Tyrant

The Tribune, the Dictator, and the Censor



Objects/Places

The Social Contract

This is the first of several terms used by the author throughout the book to define his perspective on the relationship between the individual and government. To be specific, the term "social contract" refers to the agreement between the citizen and the state that government will function solely as a manifestation of the Sovereign Will (see below), and that the citizen will do his duty and define, redefine as needed, and abide by, the laws passed by government.

The State

This is the term used to define a socio-political-geographical community of citizens.

The Body Politic

This is another term used to identify or define the citizens of the state. Unlike the latter term, there is no political or geographical component to the body politic. It is simply a collection of individuals who, together, give voice to the Sovereign Will (see below).

The Assembly

This term is used to describe a gathering of the body politic, at which their Sovereign Will (see below) is made apparent. The assembly is a key component of Rousseau's ideal structure of government, in that it provides a venue in which the voice of each individual citizen can be heard.

The Sovereign Will

This term describes the collective desires of the body politic. It is, according to the author, the source of all just law and all just action. It is also, in his belief, infallible; what the Sovereign Will wants is always right, and always for the ultimate good. Two points might assist in understanding this concept. First, later in the book, when the author is discussing the concepts of voting and majority rule, he asserts that the voice/vote of the majority is the voice of the Sovereign Will. In other words, what most people want is what is right. Second, while never actually being defined as such (because the book was written prior to the work of famed psycho-analyst Carl Jung), there is the sense that the Sovereign Will corresponds, at least on some level, to Jung's Collective Unconscious (that psychological-spiritual-emotional commonality in all human beings). It's possible to see Rousseau's Sovereign Will as a manifestation of this Collective



Unconsciousness—an external, conscious manifestation of an internal, subconscious state of being.

Law

This is the term used to define formalized rules of behavior and/or action designed to enable and/or enforce the Sovereign Will. Formulating laws is the responsibility of the legislator (see "Important People"), acting according to the Sovereign Will of the body politic (see above). Implementing laws is the responsibility of the magistrate and the Prince (see "Important People") acting within the legal boundaries of government (see below).

Government

This is the umbrella term used to define the process for the creation, implementation and enforcement of laws. There are three broadly defined types of government, defined below. Each type can function separately, but the author suggests that blends of the three types are perhaps the most effective and well balanced, as well as the least corruptible, forms of government.

Democracy

Pure democracy, as defined by the author in *The Social Contract*, is government by one person, one vote, on every issue large or small, regular or emergency. The author suggests that pure democracy is best suited to states of quite a small size, in that it's easier and more convenient for citizens to gather in assembly (see above).

Aristocracy

This form of government is defined as consisting of rule by a select few. That "few," according to the author, generally consists of individuals with considerable wealth, property, social status, or any combination thereof. There is the sense throughout the book, however, that the author advocates government by another sort of aristocracy; a "few" defined by education, wisdom and perspective, an "intellectual" aristocracy." In any case, the author suggests that aristocracy is best suited to a state of middle size, with a variety of economic and/or agricultural communities. It's important to note that in the author's perspective, pure aristocracy and monarchy (see below) exists and functions without advisors or intermediaries of any kind (legislators, magistrates, etc). He suggests that good and healthy aristocratic or monarchic government is possible if the Sovereign Will is represented to the aristocracy or the monarchy by such individuals, and if the leaders of those forms of government are prepared and willing to take the Sovereign Will into account.



Monarchy

This form of government is defined as the rule of one man (individual). Power in this form of government, according to the author, is most often hereditary - passed from family member to family member. The author acknowledges, however, that in many cases the right to monarchy is won by conquest or usurpation. He also acknowledges that monarchy is perhaps the most potentially corrupt form of government, and the most potentially damaging to the well being of the state and its citizens, subject as it is to the individual, rather than the Sovereign, will. As with aristocratic government, the author suggests that a wise, prosperous enlightened monarchy is possible if there is will on the part of the monarch to abide by the Sovereign Will, and if there is clear, unbiased communication between the body politic (via legislators or magistrates) of that will.

Rome

The formation of the first government of Ancient Rome is described extensively by the author in Book 4, Chapter 4, and is held up as an ideal of administrative and legal wisdom. That being said, the author also defines the limits of this governmental system, describing how Rome reached its limits and eventually fell as the result of over-reaching them.

Venice

The government of this Italian city, a corrupt combination of aristocracy and monarchy, is frequently presented by the author as an example of bad government - in particular, how government can become driven by individual interests and will as opposed to the Sovereign Will of the people.



Themes

The Will of the People is Infallible

This theme is the foundation of all the author's theories about government. Everything he writes is founded upon the premise that the Sovereign Will of the body politic is always right, always an expression of what is true, and always, when implemented, for the common good. All forms of government, as well as the actions of every individual involved in government, are held by the author to be manifestations of this fundamental perspective on the human experience; or, if they are not, they ought to be. There is, quite evidently, an element of idealism in this thematic view - and, to his credit, the author seems fully aware of it.

Several times throughout the book he refers to how human nature, in its acquisitiveness, its need to be right, its need to be part of a group, its need to be an individual, etc., can corrupt the Sovereign Will. There is the sense, however, that the author believes that even when an expression of the Sovereign Will seems to have been corrupted by individual will, ultimately a law enacted as the result of such corruption will lead to a good one - if not when it's passed, then later when it's repealed. This aspect of lawmaking, monitoring effectiveness and defining transformation when necessary, is the function of one of the key figures in the author's ideal government, the legislator (see "Important People"). This individual is, in many ways, the ultimate embodiment of this thematic perspective on the will of the people, and whose function is thematically defined by the book's two other principle themes, examined below.

The Function of Government

Every time the author examines an aspect of government and its relationship to the state or the individual, not only does he reiterate that the Sovereign Will is infallible, he also points out that the function of government, in any of its forms, is to enact that will. Any individual involved in government (citizen, legislator, magistrate, Prince, etc.), any action undertaken by that government, any law passed by that government, must function as a manifestation of the Sovereign Will if it is to be effective, just, and a contributor to the common good. He defines good government, of whatever form (democracy, aristocracy, monarchy, or any combination thereof), as a one that does exactly that, and throughout the book frequently offers Ancient Rome as an example of the former.

By contrast, he often offers the experience of contemporary Venice (contemporary, that is, to the author) as an example of bad government - that is, government whose aim is to support the interests of government, rather than those of the citizens who endowed it with power. There is the sense throughout the book that the author's ideals of good government are, in his mind, close to unsustainable if they don't adapt to the varied



nature of the state's citizenry and its ever-evolving needs and desires. This, then, is the book's third core theme - the ultimate need for good government to adapt.

Government Must Adapt

This thematically and theoretically essential principle is developed in several ways throughout the book - or rather, the different ways in which the principle ought to be applied is developed. The principle itself doesn't change, but the process of adaptation, the author suggests, must. Whether a state is large or small, whether its economy is based on agriculture or shipping or fishing or taxation, whether it's a democracy, aristocracy, monarchy or some combination of any or all, government must first of all be formed according to its specific needs, not to mention the Sovereign Will. Then, as those needs evolve, government must evolve as well. If a base economy shifts or expands, government's perspective and way of enacting laws must do so as well. If a state grows or shrinks, government must do so as well. If the Sovereign Will is, for example, that a monarchy incorporates aspects of democracy, government must accommodate that will.

The author acknowledges that adaptation is among the most difficult of government's responsibilities, not only because it's challenging to know when and how to adapt, but also because government, in many ways, relies upon the influence and action of individuals who, as the author maintains, are subject to the potentially corruptive influences of the individual will. In other words, there is again an element of idealism in the way this thematic premise is presented and explored; an idealism tempered (at least to a degree) by a somewhat realistic awareness and incorporation of human nature into the equation.



Style

Perspective

The author is clearly an intellectual and philosopher, an idealist and a theorist, and even at times a realist. As previously discussed, the overall perspective of the book is hypothetical and, at times, abstract. It is, essentially, a statement of how the author thinks things should be. It's important to note that this perspective is not just his alone; there is evidence, consisting mostly of references to societies past and present, that the author has seriously and deeply considered experiences of the past when contemplating and forming his own ideas. It's also important to note that he writes about, and develops, his theories with at least some awareness of human nature. He knows, for example, that individuals will often want something different from what the group wants, and that individuals who don't get what they want as the result of that difference have the potential to become resentful, rebellious, and potentially dangerous to the well being of the group. Nevertheless, his core perspective (and therefore thematically relevant contention) is that whether it's a conscious or unconscious state of being, the individual has at his core a belief in, and sense of responsibility to, the well being of the group - and that eventually, that belief will come to govern his actions and opinions.

In terms of the author's intended audience, the book's linguistic and stylistic attack is such that it appears aimed towards those with an active interest or role in government - individuals with a certain degree of intellectual experience or capability. It's clearly not meant for the everyday individual, an interesting aspect to the book, given its intellectual and thematic focus on the experience and views of such individuals. That said, there is a great deal for those in its apparent target audience to learn, come to understand, and incorporate in this book. It's undeniably a challenge, and while some of its positions are definitely arguable, its overall value of, at the very least, provoking thought and consideration, is just as undeniable.

Tone

As previously discussed in reference to perspective, the tone of the book is essentially analytical, dry and intellectual. In other words, it's a fairly academic, fairly objective treatment of a subject that is, for the most part, of interest mostly to individuals who, like the author, are theorists, intellectuals, or philosophers. In that context, however, it's particularly interesting when the author's writing veers, as it occasionally does, into more emotional territory. His writing about other philosophers, for example, occasionally veers into angry, sarcastic or bitter tones. His writing about the public, by contrast, is occasionally sad and at times even disappointed. It's almost as though he considers his theories and beliefs to be so good as to be beyond dispute, and is both resentful (of other intellectuals) and saddened (by the people) when neither accept those ideals as valid or applicable.



In terms of the affect the book's overall tone has on the reader, there's no denying that reading it is hard work. Intellectually and linguistically dense, as most works of philosophy tend to be (there is almost the sense here of words being used for their own sake), the book gives the impression that it would be a challenge even for others of the author's intellectual, socio-political bent to both get through and fully comprehend. This raises an interesting question: If government is intended to be for the common good, expressing the Sovereign Will of each and every citizen, why did the author write in such a style that most citizens would at least have considerable difficulty comprehending? Is government, like the book, a system designed to be understood or enacted only by those with considerable intellectual, philosophical or linguistic powers? Is the author, as previously discussed, in fact advocating government by a kind of intellectual aristocracy?

Structure

The author provides a very brief foreword, in which he states his intent to determine whether it's possible "to establish some just and certain rule for the administration of the civil order." This determination, and the explorations of the author's various ideas, is structured in what he defines as four books, each with several chapters. The book's move from the general to the specific, with the first book considering broadly defined ways in which the first societies established and defined government and then considering the specific conditions making it necessary for a Social Contract to exist. The second book considers specific tenets and manifestations of legislation and government; the third book considers specific types of government and ways in which each is defined and/or maintained; and the fourth book examines particular, day-to-day manifestations of the power and will of government. The main advantage of this structural format is that it carefully leads the reader stage by stage through the author's argument, each succeeding argument building on and developing that which has gone before.

Each book contains several chapters, each one deepening and detailing both the theoretical and actual manifestations of each book's core consideration. Most chapters are structured with an opening statement of its premise, followed by a detailed, at times theoretical and other times practical dissection of that premise, and concluding with a re-summation of the premise, the author having proved his point. In other words, each chapter, each book, and the book as a whole are essentially components of formalized debate, building and presenting a case in the same way as a lawyer might do in court or a student might do in an academic essay. This format is essential to present the theory, present evidence that proves the theory, explain why the evidence does so, and restate the theory, now having been proved. This clear, concise, specifically defined structure leads the reader carefully through the author's argument, and while the language making that argument is sometimes dense and convoluted, it cannot be argued that structurally the argument is sound, engaging, and thoroughly presented.

Quotes

"My design in this treatise is to enquire whether, taking men such as they are, and such laws as they may be made, it is not possible to establish some just and certain rule for the administration of the civil order." Introduction to Book 1, p. 5

"Man is born free, and yet we see him everywhere in chains. Those who believe themselves the masters of others cease not to be even greater slaves than the people they govern." Book 1, Chapter 1, p. 5.

"[Man's] first law is that of self-preservation, his first cares those which he owes to himself; and as soon as he has attained the age of reason, being the only judge of the means proper to preserve himself, he becomes at once his own master." Book 1, Chapter 2, p. 6.

"The strongest are still never sufficiently strong to ensure them continual mastership, unless they find means of transforming force into right, and obedience into duty." Book 1, Chapter 3, p.8

"War is ... not a concern between man and man but between State and State, in which individuals are only enemies accidentally, not as men, or as citizens, but as soldiers; not as members of a country, but as its defenders." Book 1, Chapter 4, p. 11.

"The articles of the social contract will, when clearly understood, be found reducible to this single point: the total alienation of each associate, and all his rights, to the whole community; for, in the first place, as every individual gives himself up entirely, the condition of every person is alike; and being so, it would not be to the interest of any one to render that condition offensive to others." Book 1, Chapter 6, p. 15.

"The passing from the state of nature to the civil state produces in man a very remarkable change, by substituting justice for instinct in his conduct, and giving to his actions a moral character which they lacked before ... the voice of duty succeeds to physical impulse, and a sense of what is right to the incitements of appetite." Book 1, Chapter 8, p. 18-19.

"Truth does not lead to fortune, and the people have neither ambassadorships, professorships, nor pensions to bestow." Book 2, Chapter 2, p. 26.

"The people are never corrupted, but they are often deceived, and only then do they seem to will what is bad." Book 2, Chapter 3, p. 26

"...the people, like cowardly and stupid patients who tremble at the sight of their physician, will not even bear to have their evils examined into with a view to removing them." Book 2, Chapter 8, p. 40.

"The choice of the time for instituting any law is one of the surest criteria whether it be the work of a legislator or a tyrant." Book 2, Chapter 10, p. 45.



"The power that makes the laws knows better than any other person how they ought to be executed and how interpreted." Book 3, Chapter 4, p. 59.

"Liberty not being a fruit that every climate will produce, it is not within the abilities of all peoples." Book 3, Chapter 8, p.69.

"It is not by the amount of public taxes that we must judge how far they are burdensome to the people on whom they are assessed, but by the path they have to take to come back into the same hands from whence they came." Book 3, Chapter 8, p. 70.

"The limits of possibility, in moral things, are not so confined as many are apt to suppose them: it is our weakness, our vice, and our prejudice that narrow the circle." Book 3, Chapter 12, p. 80.

"Let every part of the territory be peopled equally, let the same rights be extended to all, and spread abundance and life through every quarter; by those means the State will become in time the strongest and the best governed that the nature of things will admit of." Book 3, Chapter 13, p. 82.

"In a State truly free, the citizens do all with their own arms and nothing with their money; and, instead of purchasing exemption from their duty, they would even pay for fulfilling it themselves." Book 3, Chapter 15, p. 64.

"... what seems almost incredible [is that] in the midst of all these abuses, this immense people, by virtue of their ancient regulations, never desisted from electing their magistrates, passing laws, judging causes, and expediting all affairs, whether of a public or private nature, with almost as much facility as they could have been transacted in the senate itself." Book 4, Chapter 4, p. 108.

"Christianity preaches only servitude and dependence. Its spirit is too favorable to tyranny not to be always taken advantage of. True Christians are formed to be slaves, and they are so sensible of it that they hardly endeavor to avoid slavery; this short life is of too little consequence in their eyes to have any thought bestowed upon it." Book 4, Chapter 8, p. 122.



Topics for Discussion

Consider this quote from Book 1, Chapter 9: "...instead of destroying the natural equality of mankind, the [social contract] substitutes ... a moral and legal equality for that physical inequality which nature placed among men, and that, let men be ever so unequal in strength or in genius, they are all equalized by convention and legal right." Debate the merits of this perspective - is it valid or invalid? How effective is it in practice, as compared to the author's theory? What other inequalities are either ignored or addressed by the contract?

Consider this quote from Book 2, Chapter 5: "... when [the government] says to [an individual] 'It is expedient for the State that thou shouldst die, he ought to die, because it is only on that condition that he has enjoyed his security up to that moment, and because his life is not to be considered simply as a boon of nature, but as a conditional gift from the State.'"

Consider also the theoretical context in which this statement is made - the author's contention that because the individual is allowed to prosper because of the state, the individual has responsibility to defend the state, and possibly lose his life, as a result of having that prosperity. Is this a valid perspective? Is it contradictory to the author's

contentions that no man can know or understand his needs better than himself, and that the individual's first impulse and/or responsibility is to self-preservation? Can there in fact be a state when individuals living in it are continually dying to preserve it?

Consider the forms of government where you live: local (civic), regional (province/state), national. To what degree are they a true democracy, as defined in this book? To what degree are they an aristocracy? A monarchy? To what degree are the three degrees of government combined? Is the balance struck by this combination effective?

Debate the truth or falsity of this quote: "Christianity preaches only servitude and dependence. Its spirit is too favorable to tyranny not to be always taken advantage of. True Christians are formed to be slaves, and they are so sensible of it that they hardly endeavor to avoid slavery; this short life is of too little consequence in their eyes to have any thought bestowed upon it."

In this context, what is the definition of slavery? Is it imposed, or sought and accepted? Is slavery, in this context, a positive experience? Why or why not? In what ways does tyranny appear in Christianity? In this context, is tyranny a positive or negative? Why or why not?

Consider the author's comments at the conclusion of Book 1, Chapter 9 - his suggestion that "the social state is only advantageous ... when every individual has some property, and no one has too much." To what extent is this a Socialist perspective? Debate whether, in making this statement and/or in writing this book, the author is advocating a



communal/Marxist/Communist socio-political system. Discuss the most effective ways of striking a balance between individual freedom and societal/collective responsibility.

Discuss the author's assertions about war in Book 2, Chapter 5. Under what terms is war justified? Where are the lines between healthy compromise and unhealthy submission? What constitutes an assault on the rights of an individual? Where are the economic / cultural / political / spiritual boundaries? How far does an individual have the right to go? How far does a state have the right to go?

Examine the ways that the author's theories apply or don't apply to the community in which you live. Consider the various levels of government - institutional (i.e. school), civic (i.e. city), regional (state/province/county), national. Define the impact of economic diversity, cultural influences, geographic location, relationship with other communities of similar size and status (city-to-city, country-to-country, etc.), and all other factors defined by the author as influencing formation of laws. How flexible or inflexible have lawgivers been in relation to each of these circumstances?

Discuss the question of idealism as manifested in the author's ideas and theories. When is too much idealism a bad thing? Where is the line between idealism and blind hope or faith? What is an effective balance between idealism and realism? How does an individual, in government or in life, find and strike that balance?

Consider the two governmental positions described by the author as occasionally necessary for the maintenance of the state, the dictator and the censor. In what ways are contemporary understandings of those two types of governmental function different from those the author describes here? In what ways are they different? In what ways are their roles, as the author describes them, potentially positive? Potentially negative? Debate their necessity, and the necessity for such positions to be abolished.