

# Study on Sovereignty

by Joseph de Maistre

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## BOOK ONE ON THE ORIGINS OF SOVEREIGNTY

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### CHAPTER I. THE SOVEREIGNTY OF THE PEOPLE

It is said that the people are sovereign; but over whom? - over themselves, apparently. The people are thus subject. There is surely something equivocal if not erroneous here, for the people which *command* are not the people which *obey*. It is enough, then, to put the general proposition, "*The people are sovereign*," to feel that it needs an exegesis.

This exegesis will not be long in coming, at least in the French system. The people, it will be said, exercise their sovereignty by means of their representatives. This begins to make sense. The people are a sovereign which cannot exercise sovereignty....

There has been much heated discussion on whether sovereignty comes from God or from men, but I do not know if anyone has noticed that both propositions can be true.

It is certainly true, in an inferior and crude sense, that sovereignty is based on human consent. For, if any people decided suddenly not to obey, sovereignty would disappear; and it is impossible to imagine the establishment of a sovereignty without imagining a people which consents to obey. If then the opponents of the divine origin of sovereignty want to claim only this, they are right, and it would be quite useless to dispute it. Since God has not thought it appropriate to use supernatural agents in the establishment of states, it is certain that all developments have come about through human agencies. But saying that sovereignty does not derive from God because he has made use of men to establish it is like saying that he is not the creator of man because we all have a father and a mother.

Every *theist* would no doubt agree that whoever breaks the laws sets his face against the divine will and renders himself guilty before God, although he is breaking only human ordinances, for it is God who has made *man* sociable; and since he has *willed* society, he has *willed* also the sovereignty and laws without which there would be no society.

Thus laws come from God in the sense that he wills that there should be laws and that they should be obeyed. Yet these laws come also from men in that they are made by men.

In the same way, sovereignty comes from God, since he is the author of all things except evil, and is in particular the author of society, which could not exist without sovereignty.

However, this same sovereignty comes also from men in a certain sense, that is to say insofar as particular forms of government are established and declared by human consent.

The partisans of divine authority cannot therefore deny that the human will plays some part in the establishment of governments; and their opponents cannot in their turn deny that God is preeminently the author of these same governments.

It appears then that the two propositions, *Sovereignty comes from God* and *Sovereignty comes from men*, are not absolutely contradictory, any more than the other two, *Laws come from God* and *Laws come from men*....

## CHAPTER II. ORIGINS OF SOCIETY

It is one of man's curious idiosyncrasies to create difficulties for the pleasure of resolving them. The mysteries that surround him on all sides are not sufficient for him; he still rejects clear ideas and reduces everything to a problem by some inexplicable twist of pride, which makes him regard it as below him to believe what everyone believes. So, for example, there have long been disputes on the origin of society; and in place of the quite simple solutions that naturally present themselves to the mind, all sorts of metaphysical theories have been put forward to support airy hypotheses rejected by common sense and experience.

If the causes of the origins of society are posed as a problem, it is obviously assumed that there was a human era before society; but this is precisely what needs to be proved.

Doubtless it will not be denied that the earth as a whole is intended for man's habitation; now, as the multiplication of man is part of the Creator's intentions, it follows that the nature of man is to be united in great societies over the whole surface of the globe. For the nature of a being is to exist as the Creator has willed it. And this will is made perfectly plain by the facts.

The isolated man is therefore by no means the man of nature. When a handful of men were scattered over vast territories, humanity was not what it was to become. At that time, there were only families, and these scattered families, either *individually* or by their subsequent union, were nothing but embryonic peoples.

And so, long after the formation of the great societies, some small desert tribes still show us the spectacle of humanity in its infancy. There are still infant nations that are not yet what they are to become.

What would one think of a naturalist who said that man is an animal thirty to thirty-five inches high, without strength or intelligence, and giving voice only to inarticulate cries? Yet this naturalist, in sketching man's physical and moral nature in terms of an infant's characteristics, would be no more ridiculous than the philosopher who seeks the political nature of this same being in the *rudiments* of society.

Every question about the nature of man must be resolved by history. The philosopher who wants to show us by a priori reasoning what man must be does not deserve an audience. He is substituting expediency for experience and his own decisions for the Creator's will.

Let me assume that someone manages to prove that an American savage is happier and less vicious than a civilized man. Could it be concluded from this that the latter is a degraded being or, if you like, further from *nature* than the former? Not at all. This is just like saying that the nature of the individual man is to remain a child because at that age he is free from the vices and misfortunes that will beset him in his maturity. History continually shows us men joined together in more or less numerous societies, ruled by different sovereignties. Once they have multiplied beyond a certain point, they cannot exist in any other fashion.

Thus, properly speaking, there has never been a time previous to society for *man*, because, before the formations of political societies, man was not a complete man, and because it is ridiculous to seek the characteristics of any being whatever in the embryo of that being.

Thus society is not the work of man, but the immediate result of the will of the Creator who

has willed that man should be what he has always and everywhere been.

Rousseau and all the thinkers of his stamp imagine or try to imagine a people *in the state of nature* (this is their expression), deliberating formally on the advantages and disadvantages of the social state and finally deciding to pass from one to the other. But there is not a grain of common sense in this idea. What were these men like before the *national convention* in which they finally decided to find themselves a sovereign? Apparently they lived without laws and government; but for how long?

It is a basic mistake to represent the social state as an optional state based on human consent, on deliberation and on an original contract, something which is an impossibility. To talk of a state of *nature* in opposition to the social state is to talk nonsense voluntarily. The word *nature* is one of those general terms which, like all abstract terms, are open to abuse. In its most extensive sense, this word really signifies only the totality of all the laws, power, and springs of action that *make up* the world, and the *particular* nature of such and such a being is the totality of all the qualities which make it what it is and without which it would be some other thing and could no longer fulfill the intentions of its creator. Thus the combination of all the parts which make up a machine intended to tell the time forms the *nature* or the essence of a *watch*; and the *nature* or essence of the *balance wheel* is to have such and such a form, dimensions, and position, otherwise it would no longer be a balance wheel and could not fulfill its functions. The nature of a *viper* is to crawl, to have a scaly skin, hollow and movable fangs which exude poisonous venom; and the *nature* of man is to be a cognitive, religious, and sociable animal. All experience teaches us this; and, to my knowledge, nothing has contradicted this experience. If someone wants to prove that the nature of the viper is to have wings and a sweet voice, and that of a beaver is to live alone at the top of the highest mountains, it is up to him to prove it. In the meantime, we will believe that what is must be and has always been.

"The social order," says Rousseau, "is a sacred right which is the basis of all others. Yet this right does not come from *nature*: it is therefore founded on convention." [*Social Contract*, Book i, Chap. i.]

What is *nature*? What is a *right*? And how is an *order* a *right*? But let us leave these difficulties: such questions are endless with a man who misuses every term and defines none. One has the right at least to ask him to prove the big assertion that *the social order does not come from nature*. "I must," he says himself, "establish what I have just advanced." This is indeed what should be done, but the way in which he goes about it is truly curious. He spends three chapters in proving that the social order does not derive from family society or from force or from slavery (chapters 2, 3, 4) and concludes (chapter 5) *that we must always go back to a first convention*. This method of proof is very useful: it lacked only the majestic formula of the geometers, "*which was to be proved*."

It is also curious that Rousseau has not even tried to prove the one thing that it was necessary to prove; for if the social order derives from nature, there is no social compact.

"Before examining," he says, "the act by which a people chooses a king, it would be as well to examine the act by which a people is a people: for this act, being necessarily previous to the other, is the true foundation of society" (Chapter 5). This same Rousseau says elsewhere, "It is the inveterate habit of philosophers to deny what is and to explain what is not." [*Nouvelle Heloise*, Part 4.] Let us on our side add that it is the inveterate habit of Rousseau to mock the philosopher without suspecting that he also was a *philosopher* in all the force he gave to the word; so, for example, the *Social Contract* denies from beginning to end the nature of man, which *is*, in order to explain the social compact, *which does not exist*.

This is how one reasons when one separates man from the Divinity. Rather than tiring oneself out in the search of error, it would take little effort to turn one's eyes to the source of all creation; but so simple, sure, and consoling a method of philosophizing is not to the taste of writers of this unhappy age whose true illness is an aversion to good sense.

Might it not be said that man, this property of the Divinity, was cast on this earth by a blind cause, that he could be either this or that, and that it is as a consequence of his choice that he is what he is? Surely God intended some sort of end in creating man: the question can thus be reduced to whether man has become a *political animal*, as Aristotle put it, *through* or *against* the divine will. Although this question stated explicitly is a real sign of folly, it is nevertheless put indirectly in a host of writings, and fairly often the authors even decide that the latter is the case. The word *nature* has given rise to a multitude of errors. Let me repeat that the nature of any being is the sum of the qualities attributed to it by the Creator. With immeasurable profundity, Burke said that art is man's nature. This is beyond doubt; man with all his affections, all his knowledge, all his arts is the true *natural man*, and the weaver's cloth is as *natural* as the spider's web.

Man's *natural* state is therefore to be what he is today and what he has always been, that is to say, *sociable*. All human records attest to this truth....

### CHAPTER III. SOVEREIGNTY IN GENERAL

If sovereignty is not anterior to the *people*, at least these two ideas are collateral, since a sovereign is necessary to make a *people*. It is as impossible to imagine a human society, a people, without a sovereign as a hive and bees without a queen: for, by virtue of the eternal laws of nature, a swarm of bees exists in this way or it does not exist at all. Society and sovereignty are thus born together; it is impossible to separate these two ideas. Imagine an isolated man: there is no question of laws or government, since he is not a whole man and society does not yet exist. Put this man in contact with his fellowmen: from this moment you suppose a sovereign. The first man was king over his children; each isolated family was governed in the same way. But once these families joined, a sovereign was needed, and this *sovereign* made a *people* of them by giving them laws, since society exists only through the sovereign. Everyone knows the famous line,

*The first king was a fortunate soldier.*

This is perhaps one of the falsest claims that has ever been made. Quite the opposite could be said, that

*The first soldier was paid by a king.*

There was a *people*, some sort of civilization, and a sovereign as soon as men came into contact. The word *people* is a relative term that has no meaning divorced from the idea of sovereignty: for the idea of a *people* involves that of an aggregation around a common center, and without sovereignty there can be no political unity or cohesion....

### CHAPTER IV. PARTICULAR SOVEREIGNTIES AND NATIONS

The same power that has decreed social order and sovereignty has also decreed different modifications of sovereignty according to the different character of nations.

Nations are born and die like individuals. Nations have *fathers*, in a very literal sense, and *teachers* commonly more famous than their fathers, although the greatest merit of these teachers is to penetrate the character of the infant nation and to create for it circumstances in

which it can develop all its capacities.

Nations have a general *soul* and a true moral unity which makes them what they are. This unity is evidenced above all by language.

The Creator has traced on the globe the limits of nations.... These boundaries are obvious and each nation can still be seen straining to fill entirely one of the areas within these boundaries. Sometimes invincible circumstances thrust two nations together and force them to mingle. Then their constituent principles penetrate each other and produce a *hybrid* nation which can be either more or less powerful and famous than if it was a *pure* race.

But several national elements thrown together into the same receptacle can be harmful. These seeds squeeze and stifle each other. The men who compose them, condemned to a certain moral and political mediocrity, will never attract the eyes of the world in spite of a large number of individual virtues, until some great shock, starting one of these seeds growing, allows it to engulf the other and to assimilate them into its own substance. *Italiam! Italiam!*

Sometimes a nation lives in the midst of another much more numerous, refuses to integrate because there is not sufficient affinity between them, and preserves its moral unity....

When one talks of the *spirit* of a nation, the expression is not so metaphorical as is believed.

From these different national characteristics are born the different modifications of governments. One can say that each government has its separate character, for even those which belong to the same group and carry the same name reveal subtle differences to the observer.

The same laws cannot suit different provinces which have different customs, live in opposite climates, and cannot accept the same form of government.

The general objects of every good institution must be modified in each country by the relationships which spring as much from the local situation as from the character of the inhabitants. It is on the basis of these relationships that each people should be assigned a particular institutional system, which is the best, not perhaps in itself, but for the state for which it is intended.

There is only one good government for a particular state; yet not only can different governments be suitable for different peoples; they can also be suitable for the same people at different times, since a thousand events can change the inner relationships of a people.

There has always been a great deal of discussion on the best form of government without consideration of the fact that each can be the best in some instances and the worst in others!

Therefore it should not be said that *every form of government is appropriate to every country: for example, liberty, since it will not grow under every climate, is not open to every nation.* The more one thinks about this principle laid down by Montesquieu, the more one feels its force. The more it is contested, the more strongly it is established by new proofs.

Thus the absolute question, What is the best form of government? is as insoluble as it is indefinite; or, to put it another way, it has as many correct solutions as there are possible combinations in the relative and absolute positions of nations.

From these incontestable principles springs a no less incontestable consequence, that the social contract is a chimera. For, if there are as many different governments as there are different peoples, if the forms of these governments are laid down absolutely by the power

that has given to each nation its particular moral, physical, geographical, and economic features, it is no longer permissible to talk of a *compact*. Each method of exercising sovereignty is the immediate result of the will of the Creator, like sovereignty in general. For one nation, despotism is as natural and as legitimate as democracy for another. If a man himself worked out these unshakable principles [*Social Contract*, Book ii, Chap. ix; Book iii, Chaps. i, iii, viii.] in a book designed to establish that "*it is always necessary to go back to a convention*," [*Ibid.*, Book i, Chap. v.] if he wrote in one chapter that "man was born free" [*Ibid.*, Book i, Chap. i.] and in another that "liberty, since it will not grow under every climate, is not open to every nation," [*Ibid.*, Book iii, Chap. viii.] his utter folly could not be contested.

As no nation has been able to give itself the character and position that fit it to a particular government, all have been agreed not only in accepting this truth in the abstract but also in believing that the Divinity had intervened directly in the institution of their particular sovereignties....

These are fables, it will be said. In truth, I do not know; but the fables of every nation, even modern nations, cover many realities.... It is complete folly to imagine that this universal prejudice is the work of sovereigns. Individual interest might well make bad use of a general belief, but it cannot create it. If that which I am talking about had not been based on the previous consent of nations, not only could a sovereign not have made them accept it; he would have been unable to conceive such a fraud. In general, every universal idea is natural.

## CHAPTER V. AN EXAMINATION OF SOME IDEAS OF ROUSSEAU ON THE LEGISLATOR

Rousseau wrote a chapter on *the legislator* in which all the ideas are confused in an intolerable way. In the first place, this word legislator can have two different meanings: usage allows us to apply it to the extraordinary men who promulgate constitutional laws, and also to the less remarkable men who pass civil laws. It seems that Rousseau understood the word in the first sense, since he talks of the man "who dares to undertake to institute a people and who constitutes the Republic." But soon after he says that "*the legislator is in all respects an extraordinary man* IN THE STATE." Then there already is a state; the people is then constituted; it is thus no longer a question of *instituting* a people but, more or less, of reforming it....

Rousseau confuses all these ideas, and states in general that the legislator is neither an official nor a sovereign. "His task," he says, "is a superior function that has nothing in common with human rule." [*Ibid.*, Book ii, Chap. vii.] If Rousseau means that a private individual can be consulted by a sovereign and can propose good laws which might be accepted, this is one of those truths so trivial and sterile that it is useless to bother with them. If he intends to hold that a sovereign cannot make civil laws,... this is a discovery of which he has all the honor, no one ever having suspected it. If he means to prove that a sovereign cannot be a legislator in the strongest sense of the term, and give truly constituent laws to a people, by creating or perfecting their constitutional system, I appeal to the whole history of the world....

## CHAPTER VII. THE FOUNDERS AND THE POLITICAL CONSTITUTION OF NATIONS

Thinking about the moral unity of nations, there can be no doubt that it is the result of a single cause. What the wise Bonnet said about the animal body in answer to a fancy of Buffon can be said about the body politic: every seed is necessarily *one*; and it is always from a single man that each nation takes its dominant trait and its distinctive character.

To know, then, why and how a man literally *engenders* a nation, and how he passes on to them the moral temperament, the character, the general soul which must, over the course of centuries and an infinite number of generations, exist perceptibly and distinguish one nation from all others, this is a mystery like so many others on which it is fruitful to dwell....

The government of a nation is no more its own work than its language. Just as in nature the seeds of an infinite number of plants are destined to perish unless the wind or the hand of man puts them where they can germinate, so also there are in nations certain qualities and powers which are ineffective until they get a stimulus from circumstances either alone or used by a skillful hand.

The founder of a nation is precisely this skillful hand. Gifted with an extraordinary penetration or, what is more probable, with an infallible instinct (for often personal genius does not realize what it is achieving, which is what distinguishes it above all from intelligence), he divines those hidden powers and qualities which shape a nation's character, the means of bringing them to life, putting them into action, and making the greatest possible use of them. He is never to be seen writing or debating; his mode of acting derives from inspiration; and if sometimes he takes up a pen, it is not to argue but to command.

One of the greatest errors of this age is to believe that the political constitution of nations is the work of man alone and that a constitution can be made as a watchmaker makes a watch. This is quite false; but still more false is the belief that this great work can be executed by an assembly of men. The author of all things has only two ways of giving a government to a people. Most often he reserves to himself its formation more directly by making it grow, as it were, imperceptibly like a plant, through the conjunction of a multitude of those circumstances we call fortuitous. But when he wants to lay quickly the foundations of a political structure and to show the world a creation of this kind, he confides his power to rare men, the true Elect. Scattered thinly over the centuries, they rise like obelisks on time's path, and, as humanity grows older, they appear the less. To fit them for these unusual tasks, God invests them with unusual power, often unknown to their contemporaries and perhaps to themselves. Bousseau himself has spoken the truth when he said that the work of the founder of a nation was a MISSION.... If the founders of nations, who were all prodigious men, were to come before our eyes and we were to recognize their genius and their power, instead of talking nonsensically of usurpation, fraud, and fanaticism, we would fall on our knees and our sterility would disappear before the sacred sign shining from their brows....

What is certain is that the constitution of a nation is never the product of deliberation.

Almost all the great legislators have been kings, and even those nations destined to be republics have been constituted by kings. They are the men who preside at the political establishment of nations and draw up their first fundamental laws....

Look at every one of the world's constitutions, ancient and modern: you will see that now and again long experience has been able to point out some institutions capable of improving governments on the basis of their original constitution or of preventing abuses capable of altering their nature. It is possible to name the date and authors of these institutions, but you will notice that the real roots of government have remained the same and that it is impossible to show their origin, for the very simple reason that they are as old as the nations and that, not being the result of an agreement, there can be no trace of a convention which never existed.

No important and truly constitutional reform ever establishes anything new; it simply declares and defends previously existing rights. This is why the constitution of a country can never be known from its written constitutional laws, because these laws are made at different periods only to lay down forgotten or contested rights, and because there are always a host of things

which are not written....

The different forms and degrees of sovereignty have given rise to the belief that it is the work of nations which have modified it at will. Nothing could be further from the truth. Every nation has the government suited to it, and none has chosen it. The remarkable thing is that, nearly every time a nation tries to give itself a government, or more accurately every time too great a section of the people set out with such an aim, the attempt works to its misfortune; for in this fatal confusion, it is too easy for a nation to mistake its real interests, to chase desperately after what cannot be suitable for it, and at the same time reject what is best for it: and we all know how harmful errors in this field are. This is what made Tacitus say, with his simple profundity, that "it is much better for a people to accept a sovereign than to seek him." [Tacitus, *History* I, 56.]

Besides, as every exaggerated proposition is false, I by no means intend to deny the possibility of political improvements brought about by a few wise men. I might as well deny the power of moral and physical education to improve men's morality and physique; but this truth confirms rather than shakes my general argument by proving that human power can create nothing and that everything depends on the original aptitudes of nations and of individuals.

It follows from this that a free constitution is stable only when the different parts of the political system come into being together and side by side, so to speak. Men never respect what they have made. This is why an elective king never possesses the moral force of a hereditary sovereign because he is not sufficiently *noble*, that is to say, he does not possess that kind of grandeur independent of men which is the work of time....

The mass of men play no part in political events. They even respect government only because it is not their work. This feeling is written indelibly on their hearts. They submit to sovereignty because they feel that it is something sacred that they can neither create nor destroy. If, through corruption and treacherous suggestions, they reach the point of effacing in themselves this preserving sentiment, if they have the misfortune to think that they are called as a body to reform the state, everything is lost. This is why, even in free states, it is extremely important for rulers to be separated from the mass of the people by that personal respect which stems from birth and wealth; for if opinion does not put a barrier between itself and authority, if power is not outside its scope, if the governed many can think themselves the equals of the governing few, government will collapse. Thus the aristocracy is a sovereign or ruling class by nature, and the principle of the French Revolution runs directly contrary to the eternal laws of nature.

## CHAPTER VIII. THE WEAKNESS OF HUMAN POWER

In all political or religious works, whatever their aim or importance, it is a general rule that there is never any proportion between cause and effect. The effect is always immense in relation to the cause, so that man may know that he is only an instrument and that alone he can create nothing....

The more human reason trusts in itself and tries to rely on its own resources, the more absurd it is and the more it reveals its lack of power. This is why the world's greatest scourge has always been, in every age, what is called *philosophy*, for philosophy is nothing but the human reason acting alone, and the human reason reduced to its own resources is nothing but a brute whose power is restricted to destroying....

Far from being a theological exaggeration, it was a simple, rigorously expressed truth that one of our prelates (who died happily for his own sake while he was still able to believe in a new turn in affairs) spoke when he said, "In its pride, philosophy has said, *To me belongs wisdom,*



*knowledge and power; to me belongs the conduct of men, since it is I who enlighten. In order to punish and disgrace it, God needs only to condemn it to rule for a moment."*

In fact, it has ruled over one of the most powerful nations of the world; it rules and no doubt will rule long enough for it not to be able to complain that it had not sufficient time. There has never been a more disgraceful example of the complete futility of human reason when left to its own resources. What lessons have the French legislators taught us? Aided by the whole of human knowledge, the teachings of all the philosophers both ancient and modern, and the whole of historical experience, masters of opinion, disposing of immense wealth, having allies everywhere, in a word backed by every kind of human power, they have spoken with full authority. The world has seen the result. Never has human pride disposed of so many resources and, forgetting its crimes for a moment, never has it been more ridiculous.

Our contemporaries will believe it as they will, but posterity will have no doubt that the most insane of men were those who gathered around a table and said, "We will separate the French people from their ancient constitution and give them another" (this one or that one, it does not matter). Although this folly is common to all the parties who have desolated France, yet the Jacobins spring first to mind as destroyers rather than as builders, and leave in the imagination a certain impression of grandeur resulting from the immensity of their successes. There is even some doubt whether they have seriously planned to organize France into a Republic, for the Republican Constitution they have fabricated is no more than a kind of comedy put on before the people as a moment's distraction, and I cannot think that even the least enlightened of its authors have been taken in by it for a moment.

But the men who held the stage in the first days of the Constituent Assembly really believed themselves to be legislators. Completely seriously and very obviously, they aimed at giving France a political constitution, and believed that an assembly could decree, by majority vote, that this or that nation should no longer have this or that government but some other. Now, this idea is the height of extravagance, and nothing to equal it has ever come out of all the *Bedlams* in this world. So these men give the impression only of feebleness, ignorance, and *disappointment*. No feeling of admiration or horror can equal the kind of angry pity that the constituent *Bedlam* inspires. The laurels of villainy belong of right to the Jacobins, but posterity will award those for folly to the Constitutionals.

The legislators have all felt that human reason could not stand alone and that no purely human institution could last. This is why they have, so to speak, interlaced politics and religion, so that human weakness, strengthened by a supernatural support, could be overcome....

The excellence and durability of great political institutions are proportionate to the closeness of the union of politics and religion within them ....

## **CHAPTER IX. CONTINUATION OF THE SAME SUBJECT**

In his evil book on the rights of man, Paine said that a constitution is antecedent to government; that it is to government what laws are to the courts; that it is visible and material, article by article, or else it does not exist: so that the English people has no constitution, its government being the product of conquest and not of the will of the people.

It would be difficult to get more errors into fewer lines. Not only can a people not give itself a constitution, but no assembly, a small number of men in relation to the total population, can ever carry through such a task....

There has never been, there will never be, there cannot be a nation constituted a priori. Reason and experience join to prove this great truth. What eye is capable of comprehending all the

circumstances that must fit a nation to a particular constitution? How especially can a number of men be capable of this effort of intelligence? Unless they refuse to see the truth, they must agree that this is impossible; and history which should decide all these questions again supports theory. A small number of free nations have shone in history, but not one of them has been constituted in Paine's manner. Every particular form of government is a divine construction, just like sovereignty in general. A constitution in the philosophic sense is thus only the political way of life bestowed on each nation by a power above it; and, in an inferior sense, a constitution is only the assemblage of those more or less numerous laws which declare this way of life. It is not at all necessary for these laws to be written. On the contrary, it is particularly to constitutional laws that the maxim of Tacitus, *pessimae republicae plurimae leges*, can be applied. The wiser and more public-spirited a nation is, and the more excellent its constitution, the fewer written constitutional laws it has, for these laws are only props, and a building has no need of props except when it has slipped out of vertical or been violently shaken by some external force....

What Paine and so many others regard as a fault is therefore a law of nature. The *natural* constitution of a nation is always anterior to its *written* constitution and can dispense with it. There has never been and can never be a written constitution made all at once, particularly by an assembly, and the very fact that it is written all at once proves it false and impractical. Every constitution is properly speaking a creation in the full meaning of the word, and all creation is beyond men's powers. A written law is only the declaration of an anterior and unwritten law. Man cannot bestow rights on himself; he can only defend those which have been granted to him by a superior power; and these rights are *good customs*, good because they are not written and because no beginning or author can be assigned to them....

## CHAPTER X. THE NATIONAL SOUL

Human reason left to its own resources is completely incapable *not only of creating but also of conserving any religious or political association*, because it can only give rise to disputes and because, to conduct himself well, man needs beliefs, not problems. His cradle should be surrounded by dogmas; and, when his reason awakes, all his opinions should be given, at least all those relating to his conduct. Nothing is more vital to him than *prejudices*. Let us not take this word in bad part. It does not necessarily signify false ideas, but only, in the strict sense of the word, any opinions adopted without examination. Now, these kinds of opinion are essential to man; they are the real basis of his happiness and the palladium of empires. Without them, there can be neither religion, morality, nor government. There should be a state religion just as there is a state political system; or rather, religion and political dogmas, mingled and merged together, should together form a *general or national mind* sufficiently strong to repress the aberrations of the individual reason which is, of its nature, the mortal enemy of any association whatever because it gives birth only to divergent opinions.

All known nations have been happy and powerful to the degree that they have faithfully obeyed this national mind, which is nothing other than the destruction of individual dogmas and the absolute and general rule of national dogmas, that is to say, useful prejudices. Once let everyone rely on his individual reason in religion, and you will see immediately the rise of anarchy of belief or the annihilation of religious sovereignty. Likewise, if each man makes himself the judge of the principles of government you will see immediately the rise of civil anarchy or the annihilation of political sovereignty. Government is a true religion; it has its dogmas, its mysteries, its priests; to submit it to individual discussion is to destroy it; it has life only through the national mind, that is to say, political faith, which is a creed. Man's primary need is that his nascent reason should be curbed under a double yoke; it should be frustrated, and it should lose itself in the national mind, so that it changes its individual existence for another communal existence, just as a river which flows into the ocean still exists in the mass of water, but without name and distinct reality.

What is patriotism? It is this national mind of which I am speaking; it is individual *abnegation*. Faith and patriotism are the two great thaumaturges of the world. Both are divine. All their actions are miracles. Do not talk to them of scrutiny, choice, discussion, for they will say that you blaspheme. They know only two words, *submission* and *belief*; with these two levers, they raise the world. Their very errors are sublime. These two infants of Heaven prove their origin to all by creating and conserving; and if they unite, join their forces and together take possession of a nation, they exalt it, make it divine and increase its power a hundredfold....

But can you, insignificant man, light this sacred fire that inflames nations? Can you give a common soul to several million men? Unite them under your laws? Range them closely around a common center? Shape the mind of men yet unborn? Make future generations obey you and create those age-old customs, those conserving *prejudices*, which are the father of the laws and stronger than them? What nonsense!...

## **CHAPTER XII. APPLICATION OF THE PRECEDING PRINCIPLES TO A PARTICULAR CASE - CONTINUATION**

There is no doubt that, in a certain sense, reason is good for nothing. We have the scientific knowledge necessary for the maintenance of society; we have made conquests in mathematics and what is called natural science; but, once we leave the circle of our needs, our knowledge becomes either useless or doubtful. The human mind, ever restless, proliferates constantly succeeding theories. They are born, flourish, wither, and fall like leaves from the trees; the only difference is that their year is longer.

And in the whole of the moral and political world, what do we know, and what are we able to do? We *know* the morality handed down to us by our fathers, as a collection of dogmas or useful prejudices adopted by the national mind. But on this point we owe nothing to any man's individual reason. On the contrary, every time this reason has interfered, it has perverted morality.

In politics, we *know* that it is necessary to respect those powers established we know not how or by whom. When time leads to abuses capable of altering the root principle of a government, we *know* that it is necessary to remove these abuses, but without touching the principle itself, an act of delicate surgery; and we *are able* to carry through these salutary reforms until the time when the principle of life is totally vitiated and the death of the body politic is inevitable....

Wherever the individual reason dominates, there can be nothing great, for everything great rests on a belief, and the clash of individual opinions left to themselves produces only skepticism which is destructive of everything. General and individual morality, religion, laws, revered customs, useful prejudices, nothing is left standing, everything falls before it; it is the universal dissolvent.

Let us return again to basic ideas. Any *institution* is only a political edifice. In the physical and the moral order, the laws are the same; you cannot build a great edifice on narrow foundations or a durable one on a moving or transient base. Likewise, in the political order, to build high and to build for centuries, it is necessary to rely on an opinion or a belief broad and deep: for if the opinion does not hold the majority of minds and is not deeply rooted, it will provide only a narrow and transient base.

Now, if you seek the great and solid bases of all possible institutions of the first and second order, you will always find religion and patriotism.

And if you reflect still further, you will find that these two things are identical, for there is no true patriotism without religion. You will see it shine out only in the ages of belief, and it always fades and dies with it. Once man divorces himself from the divinity, he corrupts himself and everything he touches. His actions are misguided and end only in destruction. As this powerful binding force weakens in the state, so all the conserving virtues weaken in proportion. Men's characters become degraded, and even good actions are paltry. A murderous selfishness relentlessly presses on public spirit and makes it fall back before it, like those enormous glaciers of the high Alps that can be seen advancing slowly but frighteningly on the area of living things and crushing the useful vegetation in their path.

But once the idea of the divinity is the source of human action, this action is fruitful, creative, and invincible. An unknown force makes itself felt on all sides, and animates, warms, vivifies all things. However much human ignorance and corruption have soiled this great idea with errors and crimes, it no less preserves its incredible influence....

### **CHAPTER XIII. A NECESSARY EXPLANATION**

I must forestall an objection. In reproaching philosophy for the harm it has done to us, does one not run the risk of going too far and of being unjust in regard to it by swinging to an opposite extreme?

No doubt it is necessary to guard against enthusiasm, but it seems that in this respect there is one sure rule for judging philosophy. It is useful when it does not leave its own domain, that is, the sphere of the natural sciences. Here all its efforts are useful and merit our gratitude. But, once it sets its foot inside the moral sphere, it should remember that it is no longer on its own ground. It is the general mind that holds sway in this sphere, and philosophy, that is to say, the individual mind, becomes noxious and thus culpable if it dares to contradict or bring into question the sacred laws of their sovereign, that is to say, the national dogmas. Therefore, when it enters the domain of this sovereign, its duty is to act in concert with it. This distinction, whose accuracy I do not think can be contested, shows us the confines of philosophy. It is good when it remains within its own domain or when it enters a sphere higher than its own only as an ally or even as a subject; it is hateful when it enters as a rival or an enemy....

I know that philosophy, ashamed of its dreadful successes, has decided to disavow loudly the excesses which we are witnessing, but it cannot escape the criticisms of the wise like this. Happily for humanity, the same men seldom possess both fatal theories and the power to put them into practice. But what does it matter to me that Spinoza lived peacefully in a Dutch village? What does it matter to me that the weak, timid, and reticent Rousseau never had the wish or the power to stir up revolt? What does it matter to me that Voltaire defended Calas to get his name in the papers? What does it matter to me that, during the appalling tyranny that has fallen on France, the philosophers, frightened for their heads, have withdrawn into prudent seclusion? Once they put forward maxims capable of spawning every crime, these crimes are their work, since the criminals are their disciples....

The tiger that rips men open is following his nature; the real criminal is the man who unmuzzles him and launches him on society....

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## **BOOK TWO**

# **ON THE NATURE OF SOVEREIGNTY**

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## CHAPTER I. THE NATURE OF SOVEREIGNTY IN GENERAL

Every species of sovereignty is absolute of its nature, however the powers are organized, whether vested in one pair of hands or divided. In the last analysis, it will always be an absolute power which is able to commit evil with impunity, which is thus from this point of view *despotic* in the full force of the term and against which there is no defense other than rebellion.

Wherever sovereign powers are divided, the conflicts of these different powers can be looked at as the deliberations of a single sovereign, whose reason weighs up the *pros* and the *cons*. But once a decision is made, the situation is the same in both cases and the will of any sovereign whatever is always invincible.

However sovereignty is defined and vested, it is always one, unviolable and absolute. Take, for example, the English government: the kind of political trinity which makes it up does not stop sovereignty from being one, there as elsewhere. The powers balance each other, but, once they are in agreement, there is then only one will which cannot be thwarted by any other legal will, and Blackstone was right to claim that the English king and Parliament together can do anything.

The sovereign cannot therefore be judged: if he could be, the power possessing this right would be sovereign and there would be two sovereigns, which implies contradiction. The sovereign can no more modify than alienate itself: to *limit* it is to *destroy* it. *It is absurd and contradictory for the sovereign to recognize a superior....[Social Contract, Book iii, Chap. xvi.]*

The real problem, then, is not to prevent the sovereign from *willing without restriction*, which is contradictory, but of preventing him from *willing unjustly*.... While I might be forced to agree that one has the right to murder Nero, I would never accept that one has the right to judge him; for the law by virtue of which he would be judged would have been made either by himself or by some other person, which would suppose either a law made by a sovereign against himself or a sovereign above the sovereign, two equally inadmissible suppositions.

When considering governments in which the powers are divided, it is easy to believe that the sovereign can be judged, because of the activity of each power which acts on the others and, increasing its activity on certain unusual occasions, brings about secondary insurrections which are much less dangerous than insurrections properly speaking, in other words, "popular." But it is necessary to guard against a fallacy into which it is easy to fall if one looks at only one of the powers. It is necessary to envisage them in their entirety and to ask oneself if the sovereign will resulting from their joint wills can be impeded, thwarted, or punished.

One will find in the first place that every sovereign is despotic and that, with regard to them, only two courses can be taken, obedience or insurrection. It is possible to maintain, as a matter of fact, that although all sovereign wills are equally absolute, they are not equally blind or vicious, and that republican or mixed governments are superior to monarchies precisely because in them the decisions of the sovereign are generally wiser and more enlightened. This is in fact one of the principal ideas which should serve as a basis for the important examination of the superiority of one form of government over the other.

One will find in the second place that it is just the same to be subject to one sovereign as to another.

## CHAPTER II. MONARCHY

It can be said in general that all men are born for monarchy. This form of government is the most ancient and the most universal.... Monarchical government is so natural that, without realizing it, men identify it with sovereignty. They seem tacitly to agree that, wherever there is no king, there is no real *sovereign*....

This is particularly striking in everything that has been said on both sides of the question that formed the subject of the first book of this work. The adversaries of divine origin always hold a grudge against *kings* and talk only of *kings*. They do not want to accept that the authority of kings comes from God: but it is not a question of *royalty* in particular but of *sovereignty* in general. Yes, all sovereignty derives from God; whatever form it takes, it is not the work of man. It is one, absolute and inviolable of its nature. Why, then, lay the blame on royalty, as though the inconveniences which are relied on to attack this system are not the same in any form of government? Once again, it is because royalty is *the natural government* and because in common discourse men confuse it with sovereignty by disregarding other governments, just as they neglect the exception when enunciating the general rule....

Man must always be brought back to history, which is the first and indeed the only teacher in politics. Whoever says that man is born for liberty is speaking nonsense. If a being of a superior order undertook the *natural history* of man, surely he would seek his directions in the history of facts. When he knew what man is and has always been, what he does and has always done, he would write; and doubtless he would reject as foolish the notion that man is not what he should be and that his condition is contrary to the laws of creation. The very expression of this proposition is sufficient to refute it.

History is experimental politics; and just as, in the physical sciences, a hundred books of speculative theories disappear before a single experiment, in the same way in political science no theory can be allowed if it is not the more or less probable corollary of well-attested facts. If the question is asked, "What is the most natural government to man," history will reply, *It is monarchy*.

This government no doubt has its drawbacks, like every other, but all the declamations that fill the books of the day on these kinds of abuses can only rouse pity for their authors. It is pride and not reason which gives rise to them. Once it is rigorously established that nations are not made for the same government, that each nation has that which is best for it, above all that "liberty is not open to every nation, and that the more we ponder on this principle laid down by Montesquieu, the more apparent its truth appears," [*Ibid.*, Book iii, Chap. viii.] we can no longer understand what the diatribes against the vices of monarchical government are about. If their aim is to make the unfortunate people who are destined to bear the disadvantages feel them more sharply, it is a most barbaric pastime; if their aim is to urge men to revolt against a government made for them, it is a crime beyond description.

But the subjects of monarchies are by no means reduced to taking refuge from despair in philosophic meditations; they have something better to do, which is to gain full knowledge of the excellence of their government and to learn not to envy others....

Let us go on to examine the principal characteristics of monarchical government....

Monarchy is a *centralized* aristocracy. At all times and in all places, aristocracy dominates. Whatever form is given to governments, birth and wealth always take the first rank, and nowhere is their rule more harsh than where it is not founded on the law. But in a monarchy the king is the center of this aristocracy: the latter, here as elsewhere, still rules, but it rules in the name of the king, or, if you like, the king is guided by the understanding of the aristocracy....

Avoiding all exaggeration, it is certain that the government of a single man is that in which the vices of the sovereign have the least effect upon the governed.

A very remarkable truth was spoken recently at the opening of the republican Lycee in Paris. "In absolute governments, the faults of the ruler can scarcely ruin everything at the same time, because his single will cannot do everything; but a republican government is obliged to be essentially reasonable and just, because the general will, once it goes astray, carries everything with it." [Speech given at the opening of the republican Lycee, December 31, 1794, by M. de la Harpe (*Journal de Paris*, 1795, No. 114, p. 461).]

This observation is most just: it is far from true that the will of the king does everything in a monarchy. It is supposed to do everything, and that is the great advantage of this government: but, in fact, its utility is almost wholly in centralizing advice and knowledge. Religion, laws, customs, opinion, class, and corporate privileges restrict the sovereign and prevent him from abusing his power; it is striking that kings have even been much more often accused of lacking will than of overexerting it. It is always the king's council that rules. But the *pyramidal* aristocracy that administers the state in monarchies has particular characteristics which deserve our attention.

In every country and under every possible government, the great officers always belong to the aristocracy, that is, to nobility and wealth, most often united. In saying that this *must be so*, Aristotle put forward a political axiom which simple good sense and the experience of the whole of history cannot allow us to doubt. This privilege of aristocracy is really a natural law.

Now, it is one of the greatest advantages of monarchical government that in it the aristocracy loses, as much as the nature of things allows, all those features offensive to the lower classes. It is important to understand the reasons for this.

1. This kind of aristocracy is legal; it is an integral part of government, everyone knows this, and it does not waken in anyone's mind the idea of usurpation and injustice. In republics, on the other hand, the distinction between persons exists as much as in monarchies, but it is harder and more offensive because it is not the work of the law and because popular opinion regards it as a continual rebellion against the principle of equality admitted by the constitution....

2. Once the influence of a hereditary aristocracy becomes inevitable (and the experience of every age leaves no doubt on this point), the best course to deprive this influence of the elements that rub against the pride of the lower classes is to remove all insurmountable barriers between the families within the state and to allow none of them to be humiliated by a distinction that they can never enjoy.

Now this is precisely the case in a monarchy resting on good laws. There is no family that the merit of its head cannot raise from the second to the first rank....

3. And this order of things appears still more perfect when it is remembered that the aristocracy of birth and office, already softened by the right belonging to every family to enjoy the same distinctions in its turn, is stripped of everything possibly offensive to the lower orders by the universal supremacy of the monarch, before whom no citizen is more powerful than another; the man in the street, who is insignificant when he measures himself against a great lord, measures the lord against the sovereign, and the title of *subject* which brings both of them under the same power and the same justice is a kind of equality that stills the inevitable pangs of self-esteem....

In the government of several, sovereignty is by no means A UNITY; and although the parts making it up form A UNITY, it is far from the case that they make the same impression on the

mind. The human imagination does not grasp a unity that is only a metaphysical abstraction; on the contrary, it delights in separating each element of the general unity, and the subject has less respect for a sovereignty whose separate parts are not sufficiently above him. It follows that, in these kinds of government, sovereignty has not the same *intensity* or, in consequence, the same moral force....

Let us abandon all prejudice and party spirit, renounce exaggerated ideas and all the theoretical dreams fostered by the French fever, and European good sense will agree on the following propositions:

1. The king is sovereign; no one can share sovereignty with him, and all powers emanate from him.
- z. His person is inviolable; no one has the right to depose or judge him.
3. He has not the right to condemn to death, or even impose any corporal punishment. The power that punishes derives from him, and that is sufficient.
4. If he imposes exile or imprisonment in cases in which reason of state prevents a judicial hearing, he should not be too secretive or act too much without the advice of an enlightened council.
5. The king cannot judge in civil cases; only the judges, in the name of the sovereign, can pronounce on property and contracts.
6. Subjects have the right, by means of certain differently composed bodies, councils, or assemblies, to denounce abuses to him and legally to communicate to him their *grievances* and their *very humble remonstrances*.

It is in these sacred laws, the more truly constitutional since they are written only in men's hearts, and more particularly in the paternal relationship between prince and subjects, that can be found the true character of European monarchy.

Whatever the intense and blind pride of the eighteenth century says about it, this is all we need. These elements, combined in different ways, produce all sorts of nuances in monarchical government. It can be seen, for example, that the men charged with carrying to the foot of the throne the representations and grievances of subjects can form bodies or assemblies; that the members who compose these assemblies or bodies can vary in number, in rank, in the nature and extent of their powers; that the method of election, the frequency and length of sessions, and so on, alter the number of these combinations: *facies non omnibus una*; but always you will find the same general character: that is, chosen men carrying legally to the father the complaints and the views of the family: *nec diversa tamen*....

How many faults power has committed! And how steadfastly it ignores the means of conserving itself! Man is insatiable for power; he is infinite in his desires and, always discontented with what he has, loves only what he has not. People complain of the despotism of princes; they ought to complain of the despotism of man. We are all born despots, from the most absolute monarch of Asia to the infant who smothers a bird with its hand for the pleasure of seeing that there exists in the world a being weaker than itself. There is not a man who does not abuse power, and experience shows that the most abominable despots, if they manage to seize the scepter, are precisely those who rant against despotism. But the Author of nature has set bounds to the abuse of power: He has willed that it destroys itself once it goes beyond its natural limits. Everywhere He has written this law; in the physical as in the moral world, it surrounds us and makes itself constantly heard. Look at this gun: up to a certain point, the longer you make it, the more effective it will be; but once you go at all beyond this limit, its



effectiveness will be reduced. Look at this telescope; up to a certain point, the bigger you make it, the more powerful it will be; but go beyond that, and invincible nature will turn all your efforts to perfect the instrument against you. This is a crude image of power. To conserve itself, it must restrain itself, and it must always keep away from that point at which its most extreme effort leads to its own death.

Certainly I do not like *popular* assemblies any more than the next man; but French folly ought not to turn us aside from the truth and wisdom of the happy mean. If there is any indisputable maxim, it is that, in all mutinies, insurrections, and revolutions *the people always start by being right and always end by being wrong*. It is not true that every nation should have its *national assembly* in the French sense; it is not true that every individual is eligible for the national council; it is not even true that everyone can be an elector without any distinction of rank or fortune; it is not true that this council should be colegislative; finally it is not true that it ought to be composed the same way in different countries. But because these exaggerated claims are false, does it follow that no one has the right to speak for the common good in the name of the community and that we are prevented from acting wisely because the French have acted so foolishly? I do not understand this conclusion....

### CHAPTER III. ON ARISTOCRACY

Aristocratic government is a monarchy in which the throne is vacant. *Sovereignty there is in regency.*

The regents who administer sovereignty being hereditary, it is totally separated from the people, and in this, aristocratic government approaches monarchy. It cannot, however, reach it in vigor; but from the point of view of wisdom, it has no equal. It can be said in general that all nonmonarchic governments are aristocratic, for democracy is only elective aristocracy....

Leaving aside the natural aristocracy that results from physical strength and talent, which it is unprofitable to discuss, there are only two sorts of aristocracy, elective and hereditary.... But, since elective monarchy is the weakest and most unstable of governments, and since experience has shown us clearly the superiority of hereditary monarchy, it follows by an indisputable analogy that hereditary aristocracy is preferable to elective....

All in all, hereditary aristocratic government is perhaps the most advantageous to what is called the *people*. Sovereignty is sufficiently concentrated to inspire respect in them; but, as it has fewer needs and less splendor, it asks less of them. If sometimes it is timid, this is because it is never imprudent....

### CHAPTER IV. DEMOCRACY

Pure democracy does not exist any more than absolute despotism. "If you use the strict meaning of the term," says Rousseau admirably, "a true democracy has never existed and will never exist. It is against the natural order for the majority to govern and the minority to be governed." [*Social Contract*, Book iii, Chap. iv.]

The idea of a whole people being sovereign and legislative is so contrary to good sense that the Greek political writers, who should know a little about liberty, never talked about democracy as a legitimate government, at least when they meant to express themselves exactly. Aristotle especially defines democracy as the *excess of the republic*, just as despotism is the excess of monarchy.

If there is no such thing as a democracy, properly speaking, the same can be said of a perfect despotism, which is equally a hypothetical model. "It is wrong to think that there has ever

been a single authority despotic in every respect; there has never been nor will there ever be such a system. The widest power is still bounded by some limits." [Montesquieu, *Grandeur et decadence des Romains*, Chap. xxii.]

But nothing stops us, in order to clarify our ideas, from considering these two forms of government as two theoretical extremes which every possible government resembles to a greater or lesser degree.

In this strict sense, I believe I can define democracy as *an association of men without sovereignty*. "When the whole people," says Rousseau, "decides for the whole people, it considers only itself.... Then the matter on which a decision is made is general, like the will which makes it; it is this act that I call a LAW." [Social Contract, Book ii, Chap. vi.]

What Rousseau calls eminently law is precisely what is incapable of bearing the name....

As a nation, like an individual, cannot possess coercive power over itself, it is clear that, if a democracy in its theoretical purity were to exist, there would be no sovereignty within this state: for it is impossible to understand by this word anything other than a repressive power that acts on the *subject* and that is external to him. It follows that this word *subject*, which is a relative term, is alien to republics, because there is no sovereign, properly speaking, in a republic and because there cannot be a *subject* without a *sovereign*, just as there cannot be a *son* without a *father*.

Even in aristocratic governments, in which sovereignty is much more palpable than in democracies, the word *subject* is nevertheless avoided, and other, less rigid, terms, which involve no exaggeration, are found.

In every country there are voluntary associations of men who have united for some self-interested or charitable purpose. These men have voluntarily submitted themselves to certain rules which they observe as long as they find it advantageous. They even submit themselves to certain punishments imposed when they have broken the regulations of the association. But these regulations have no authority other than the will itself of those who have drawn them up, and, when there are dissidents, there is no coercive force among them to restrain these dissidents.

A just idea of a true democracy can be gained by magnifying the idea of such corporations. The ordinances emanating from a people constituted in such a way would be rules, and not laws. Law is so little the will of all that the *more* it is the will of *all*, the *less* it is *law*: so that it would cease to be law if it was the work of *all* those who ought to obey it, without exception.

But a purely voluntary state of association exists no more than does a pure democracy. One only starts from this theoretical power in order to understand; and it is in this sense that one can claim that sovereignty is born the moment when the sovereign begins not to be *the whole people* and that it grows stronger to the degree that it becomes less *the whole people*.

The spirit of voluntary association is the constitutive principle of republics, and has necessarily a prime cause; it is *divine*, and no one can produce it. The degree to which it is mixed in sovereignty, the common base of all governments, determines the *physiognomy* of non-monarchical governments.

The observer, and particularly the foreign observer who lives in a republican country, can distinguish very well the effects of these two principles. Sometimes he feels sovereignty and sometimes the communal spirit that serves as a supplement to it. Public power acts less, and above all is less apparent, than in monarchies, seeming to mistrust itself. A certain collective feeling, which is easier to feel than to define, dispenses sovereignty from acting in a host of

circumstances in which it would intervene elsewhere. A thousand small things come about of their own accord, and order and agreement show themselves on all sides for no apparent reason. Communal property is respected even by the poor, and everything, even the general propriety, gives the observer food for thought.

A republican nation being thus less governed than any other, it can be seen that the acts of sovereignty must be supplemented by public spirit, so that the less a nation has wisdom to see the good and virtue to follow it of itself, the less fitted it is for a republic.

The advantages and disadvantages of this kind of government are quickly discovered. At its best, it eclipses all others, and the marvels it works seduce even the calmest and most judicious of observers. But, in the first place, it is suitable only for very small nations, for there is no need to demonstrate that the formation and maintenance of the spirit of association becomes more difficult as the number of associates grows.

In the second place, justice has not that calm and smooth action that we ordinarily see in monarchies. In democracies, justice is sometimes weak and sometimes impassioned. It is said that, under these governments, no head can resist the sword of the law. This means that, the punishment of an illustrious criminal or accused person being a real joy for the plebs who by this console themselves for the inevitable superiority of the aristocracy, public opinion strongly favors this kind of sentence; but if the criminal is obscure, or in general if the crime wounds neither the pride nor the immediate interests of the majority of individuals, this same opinion resists the action of justice and paralyzes it.

In a monarchy, the aristocracy is only a prolongation of royal authority, and thus partakes to a certain degree in the inviolability of the monarch. This immunity (always very much below that of the sovereign) is graduated so that it is held by fewer persons as it grows in extent.

In a monarchy, immunity, differently graduated, belongs to the minority, in a democracy to the majority. In the first case it shocks the plebs; in the second it pleases them. I believe it to be good in both cases, that is to say, I believe it to be a necessary element in both governments, which comes to the same thing, for what constitutes a government is always good, at least in an absolute sense.

But it is another matter when one government is compared to another. It is then a question of weighing the benefits and inconveniences to humanity of different social systems.

It is from this point of view that I believe monarchy to be superior to democracy in the administration of justice; and I am talking not only of criminal but also of civil justice. The same weakness can be observed in the one as in the other.

The magistrate is not sufficiently above the citizen; he has the air of an arbitrator rather than of a judge; and, forced to act cautiously even when he speaks in the name of the law, it is obvious that he does not believe in his own power. His strength lies only in the adherence of his equals, because there is either no sovereign or it is not strong enough....

In general, justice is always weak in democracies when it acts alone, and always cruel or irresponsible when it relies on the people.

Some political writers have maintained that one of the advantages of republican government was the ability the people possess to confide the exercise of its authority only to men worthy of it. No one, they claim, can choose better than the people: where their interests are concerned, nothing can seduce them, and merit alone decides them.

I fancy that this idea is largely delusory. Democracy could not last a moment if it was not

tempered by aristocracy, and above all by hereditary aristocracy, which is perhaps more indispensable to this government than to monarchy. In a republic, the right to vote gives neither prestige nor power. When Rousseau tells us, in the introduction to the *Social Contract*, that, in his quality as a citizen of a free state, he is personally *sovereign*, even the most benevolent reader is inclined to laugh. Men count for something in a republic only to the degree that birth, marriage, and high talents give them influence; the simple citizen counts for nothing....

In times of peace, the people allow themselves to be led by their rulers: then they are wise because they act little; they choose well because the choice is made for them. When they are content with the power they derive from the constitution and, without venturing to make use of this power, rely on the understanding and wisdom of the aristocracy, when on the other side the rulers, sufficiently restrained by the fear of being deprived of the exercise of power, use it with a wisdom which justifies confidence, this is when republics shine. But when respect on the one side and fear on the other disappear, the state slides quickly toward ruin....

However, I do not want to claim that monarchical government is any less open to mistakes in its choice of men; but the eternal declamation on the errors of blind patronage are much less well founded than is commonly imagined. In the first place, if it is pride that complains, kings always choose badly, for there is not a malcontent who does not prefer himself without question to the most happy choice. Moreover, too often kings are accused when it is the people who should be accused. In periods of general degeneracy, men complain that merit does not succeed; but where is it then, this ignored merit? They are obliged to point it out before accusing the government. During the last two French reigns, it is true that very mediocre men have been vested with high responsibilities; but to which men of merit were they preferred? Now that the most complete revolution the world has seen has broken all the chains which could bind the talents captive, where are they? You might perhaps find them, but they will be joined to profound immorality; but it is the sensible spirit of self-preservation of states that has barred talents of this kind from high offices. Moreover, as the Scriptures put it, there is a certain cleverness that works only for ill. This is the talent that has devastated France for five years. If you look carefully, you will find no or very little real political talent among even the most prominent men who have appeared on this bloody and tearful stage. They have been very good at doing evil; this is the only praise that can be bestowed on them. Happily the most famous of them have been writers; and, when all passions have been buried in the grave, posterity will discover from their indiscreet pages that the most monstrous errors dominated these pride-ridden men and that the previous government which rejected, curbed, and punished them was, without knowing it, fighting for its own life.

It is therefore because France was degenerating, because she was deficient in talents, that the kings seemed to welcome too much the mediocrity brought forward by intrigue. There is a very gross error, into which we nevertheless fall every day without realizing it. Although we recognize the hidden hand which guides all things, yet so important does the action of secondary causes seem to us that we fairly commonly reason as if this hand did not exist. When we contemplate the play of intrigue around thrones, words like *chance*, *good luck*, *bad luck*, *fortune* naturally present themselves, and we say them a little too quickly without perceiving that they make no sense.

Without doubt, man is free; he can make mistakes, but not sufficiently to derange general plans. We are all bound to the throne of God by a pliant chain which reconciles the self-propulsion of free agents with divine supremacy. Unquestionably, a certain king might in a certain age prevent a real talent from occupying a position made for it, and this unfortunate capacity can be more or less extensive. But, in general, there is a secret power that carries each individual to his place; otherwise the state could not continue. We recognize in a plant some unknown power, some single form-giving force which creates and conserves, which moves

unwaveringly toward its end, which appropriates what is useful to it and rejects that which would harm it, which carries even to the last fibril of the last leaf the sap that it needs, and fights with all its might against the diseases of the vegetable world. This force is still more obvious and more wonderful in the animal kingdom. How blind we are! How can we deny that the body politic has also its law, its soul, its form-giving force, and believe that everything is dependent on the whims of human ignorance? If the moral mechanism of states were revealed to us, we would be freed of a host of errors: we would see, for instance, that the man who appears to us to be fitted for a certain position is a *disease* which the life force pushes to the surface, while we deplore the *misfortune* that stops him from invading the sources of life. We are misled every day by the words *talent* and *genius*; often these qualities are absent where we think we see them, and often also they belong to dangerous men....

To hear these defenders of democracy talk, one would think that the people deliberate like a committee of wise men, whereas in truth judicial murders, foolhardy undertakings, wild choices, and above all foolish and disastrous wars are eminently the prerogatives of this form of government.

But who has ever said worse of democracy than Rousseau, for he declares point-blank that it is made only for a society of Gods.[*Ibid.*, Book iii, Chap. iv.] It remains to be seen how a government which is made only for *gods* can yet be proposed to men as the only legitimate government, for if this is not the meaning of the social contract, the social contract has no meaning.

But this is not all: "How many things," he says, "difficult to bring together are required by this government. First, a very small state, in which the people can easily assemble, and where each citizen can easily know all the others; second, great simplicity of manners to prevent a multiplicity of problems and difficult discussions; then a high degree of equality in rank and fortune without which equality in rights and authority would not last for long; finally, little or no luxury."[*Ibid.*]

At this point, I shall consider only the first of these conditions. If democracy is suitable only for very small states, how can this form of government be put forward as the only legitimate form of government and as, so to speak, a *formula* capable of resolving all political problems?...

I do not know why Rousseau was willing to admit that democracy involves some small disadvantages, but he had a very simple way of justifying it, which is to judge it only by its theoretical perfection and to regard its disadvantages as small and insignificant anomalies which do not deserve careful attention.

"The general will," he says, "is always right and always tends to the public utility, but the deliberations of the people have not always the same rightness.... The people are never corrupted, but they are often misled, and it is only then that they appear to will what is evil." [*Ibid.*, Book ii, Chap. iii.] Drink, Socrates, drink; and console yourself with these distinctions: the good people of Athens only *appear* to will what is evil....

## CHAPTER V. THE BEST SPECIES OF GOVERNMENT

Rousseau saw quite correctly that no one should ask what is the best form of government in general, since none is suitable for every nation. Each nation has its own, as it has its own language and character, and this government is the best for it. The consequence of which is obviously that all theories of social contract are pipedreams.... Since none of the varying circumstances depend on men, it follows that the consent of the people plays no part in the formation of governments.... The question is not to know what is the best form of government

but which nation is best governed according to the principles of its government....

## CHAPTER VI. CONTINUATION OF THE SAME SUBJECT

The best government for each nation is that which, in the territory occupied by this nation, is capable of producing the greatest possible sum of happiness and strength, for the greatest possible number of men, during the longest possible time. I venture to believe that the justice of this definition cannot be denied and that it is by following it that comparison between states from the point of view of their governments becomes possible. In fact, although it is impossible to ask *What is the best form of government?* nothing stops us asking, *Which nation is relatively the most numerous, the strongest, and the happiest, over the greatest period of time, through the influence of the government suitable to it?*

What peculiarity of mind prevents us from using in the study of politics the same methods of reasoning and the same general hypotheses which guide us in the study of other sciences?

In physical research, if there is a problem of estimating a variable force, we take the average quantity. In astronomy in particular we always talk of *average distance* and *average time*. To judge the merit of a government, the same method should be used.

Any government is a variable force that produces effects as variable as itself, within certain limits. To judge it, it should not be examined at a given moment, but over the whole of its existence. Then to judge the French monarchy properly, a sum of the virtues and vices of all the French kings should be made, and divided by sixty-six: the result is an *average king*; and the same is true of other monarchies.

Democracy has one brilliant moment, but it is a moment and it must pay dearly for it. The great days of Athens might, I agree, inspire desires in the subject of a monarchy, languishing in such and such a period under an inept or wicked king. Nevertheless, we would be greatly mistaken if we claimed to establish the superiority of democracy over monarchy by comparing moment for moment, because, in this way of judging, we neglect among other things the consideration of duration, which is a necessary element of these sorts of calculation.

In general, all democratic governments are only transitory meteors, whose brilliance excludes duration....

In discussing the different kinds of government, the general happiness is not sufficiently considered, although it should be our sole criterion. We should have the courage to face a glaring truth which would cool our enthusiasm for free constitutions a little; this is that, in every republic over a certain size, what is called *liberty* is only the total sacrifice of a great number of men for the independence and pride of a small number....

Properly speaking, all governments are monarchies which differ only in whether the monarch is for life or for a term of years, hereditary or elective, individual or corporate; or, if you will (for it is the same idea in other terms), all governments are aristocratic, composed of a greater or smaller number of rulers, from democracy, in which this aristocracy is composed of as many men as the nature of things permits, to monarchy, in which the aristocracy, inevitable under every government, is headed by a single man topping the pyramid and which undoubtedly constitutes the most natural government for man.

But of all monarchies, the hardest, most despotic, and most intolerable is King *People*. Again history testifies to the great truth that the liberty of the minority is founded only on the slavery of the masses and that republics have never been anything but multimember sovereigns, whose despotism, always harder and more capricious than that of kings, increases in intensity

as the number of subjects grows....

## CHAPTER VII. REFLECTIONS ON THIS SUBJECT

What do all these philosophers want, since nothing that exists or has existed can please them? They do not want any government, since there is no government which does not lay claim to obedience. It is not this or that authority which they detest, but authority itself; they cannot endure any....

It is enough to recall the excellent phrase of Rousseau, who was always right when he spoke against himself: "If I consult philosophers, each has only his own voice." Deadly enemies of every kind of association, possessed of a repellent and solitary pride, they agree on only one point, the fury of destruction. Since each wishes to replace what displeases him by his own visions which are agreeable to him alone, the result is that all their power is negative and that all their efforts to build are ineffective and ridiculous. Misguided man, learn once for all to recognize these dangerous tricksters; leave them to admire themselves on their own and rally to the national reason which is never mistaken. Remember that every nation has, in its laws and ancient customs, everything it needs to be happy as far as it can be and that by using these ancient laws as the basis for all your reconstruction you can reveal all your perfectibility without giving way to fatal innovations.

Raise your mind again to higher thoughts. The eternal reason has spoken, and its infallible oracles have shown us in pride "the beginning of all evils." This terrible principle is rampant throughout Europe, since these same philosophers have relieved you of your father's faith. Hatred of authority is the scourge of our day: there is no remedy for this ill except in the sacred maxims you have been made to forget. Archimedes knew well that, to raise the world, you need a fulcrum outside the world.

To overthrow the moral world, the enemies of all order have hit on this fulcrum. Atheism and immorality stir up revolt and insurrection....

In general, we know almost nothing about the unity of things, and in this we are to be excused, but we cannot be excused for being ignorant that this unity exists. The imaginary world of Descartes represents fairly well the reality of the political world. Every nation is a particular vortex at once impelling and impelled; the *whole* is nothing but the totality of these vortices, and nations are between themselves just like the individuals who compose them. Each member of these great families we call *nations* has received a character, faculties, and a mission peculiar to himself. Some are destined to slip in silence along the path of life without their passage being noted. Others herald their progress, and nearly always they are rewarded by fame rather than happiness. Individual talents are infinitely diversified with a divine magnificence, and the most brilliant are not the most useful; but every one has some use, every one is in its place; all play a part in the general organization, all move unswervingly toward the end of the association....

It is the same of nations as of individuals. All have a character and a mission that they fulfill without realizing it. Some are learned and others are conquerors; and again there is an infinite diversity of general characteristics. Among conquering nations, some are purely destructive whilst others seem to destroy only to make room for creations of a new kind....

No nation owes its character to its government, any more than its language. On the contrary, it owes its government to its character, which in fact is always reinforced and perfected subsequently by political institutions. If you see a nation decline, this is not because its government is bad; it is because this government, which is the best for that nation, dies like all human works, or rather it is because the national character is worn out. Then nations must

undergo a political rebirth, or perish....

*[Translation by Jack Lively]*

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