

*This small treatise is drawn from a larger work, undertaken many years ago without consulting my strength and long since abandoned. Of the various sections that could be extracted from what did get done, this is the most considerable, and the one that has seemed to me the least unworthy of being submitted to the public. The rest no longer exists.*

*From: Jean-Baptiste Rousseau  
The Social Contract and  
Other Later Political  
Writings, ed. V. Gourevitch  
Cambridge University  
Press, (1997)*

[1] I want to inquire whether in the civil order there can be some legitimate and sure rule of administration, taking men as they are, and the laws as they can be: In this inquiry I shall try always to combine what right permits with what interest prescribes, so that justice and utility not be disjoined.

[2] I begin without proving the importance of my subject. I shall be asked whether I am a prince or a lawgiver that I write on Politics? I reply that I am not, and that that is why I write on Politics. If I were a prince or a lawgiver, I would not waste my time saying what needs doing; I would do it, or keep silent.

[3] Born a citizen of a free State, and a member of the sovereign, the right to vote in it is enough to impose on me the duty to learn about public affairs, regardless of how weak might be the influence of my voice on them. Happy, whenever I mediate about Governments, always to find in my inquiries new reasons for loving that of my country!

CHAPTER ONE  
SUBJECT OF THIS FIRST BOOK

[1] Man is born free, and everywhere he is in chains. One believes himself the others' master, and yet is more a slave than they. How did this change come about? I do not know. What can make it legitimate? I believe I can solve this question.

[2] If I considered only force, and the effect that follows from it, [352] I would say, as long as a People is compelled to obey and does obey, it does well; as soon as it can shake off the yoke and does shake it off, it does even better; for in recovering its freedom by the same right as the right by which it was robbed of it, either the people is well founded to take it back, or it was deprived of it without foundation. But the social order is a sacred right, which provides the basis for all the others. Yet this right does not come from nature; it is therefore founded on conventions. The problem is to know what these conventions are. Before coming to that, I must establish what I have just set forth.

CHAPTER TWO  
OF THE FIRST SOCIETIES

[1] The most ancient of all societies and the only natural one is that of the family. Even so children remain bound to the father only as long as they need him for their preservation. As soon as that need ceases, the natural bond dissolves. The children, exempt from the obedience they owe the father, the father exempt from the cares he owed the children, all equally return to independence. If they remain united, they are no longer so naturally but voluntarily, and even the family maintains itself only by convention.

[2] This common freedom is a consequence of man's nature. His first law is to attend to his own preservation, his first cares are those he owes himself, and since, as soon as he has reached the age of reason, he is sole judge of the means proper to preserve himself, he becomes his own master.

[3] The family is, then, if you will, the first model of political societies; the chief is the image of the father, the people are the image of the children, and all, being born equal and free, alienate their freedom only for the sake of their utility. The only difference is that in the family the father's love for his children repays him for the cares he bestows on them, and that in the State the pleasure of commanding takes the place of the chief's lack of love for his peoples.

[4] Grotius denies that all human power is established for [353] the sake of the governed: he gives slavery as an example. His most frequent mode of argument is always to establish right by fact.\* One could use a more consistent method, but not one more favorable to Tyrants.

[5] So that, according to Grotius, it is an open question whether humankind belongs to a hundred men, or whether those hundred men belong to humankind, and throughout his book he appears to incline to the first opinion: that is also Hobbes's sentiment. Here,

\* "Learned investigations of public right are often nothing but the history of ancient abuses, and it was a misplaced single-mindedness to have taken the trouble to study them too closely." *Mis Treatise on the Interests of France in Relation to Her Neighbors*; by M. L[e]l [Marguis d'Argenson]. This is precisely what Grotius did.

then, is humankind, divided into herds of cattle, each with its chief who tends it to devour it.

[6] As a shepherd is of a nature superior to his flock's, so too are the shepherds of men, who are their chiefs, of a nature superior to their peoples? This is how, according to Philo, the Emperor Caligula reasoned; concluding rather well from this analogy that kings were Gods, or that peoples were beasts.

[7] Caligula's reasoning amounts to that of Hobbes and of Grotius. Aristotle before all of them had also said that men are not naturally equal, but that some were born for slavery and others for domination.

[8] Aristotle was right, but he mistook the effect for the cause. Any man born in slavery is born for slavery; nothing could be more certain. Slaves lose everything in their chains, even the desire to be rid of them; they love their servitude, as the companions of Ulysses loved their brutishness.\* Hence, if there are slaves by nature, it is because there were slaves contrary to nature. Force made the first slaves, their cowardice perpetuated them.

[9] I have said nothing about King Adam, or about emperor Noah, father of three great monarchs who among themselves divided the uni[354]verse, as did the children of Saturn, whom some believed they recognized in them. I hope my moderation will be appreciated; for since I am a direct descendant from one of these Princes, and perhaps from the elder branch, for all I know, I might, upon verification of titles, find I am the legitimate King of humankind. Be that as it may, it cannot be denied that Adam was Sovereign of the world as Robinson was of his island, as long as he was its sole inhabitant; and what made this empire convenient was that the monarch, secure on his throne, had neither rebellions, nor wars, nor conspirators to fear.

CHAPTER THREE  
THE RIGHT OF THE STRONGER

[1] The stronger is never strong enough to be forever master, unless he transforms his force into right, and obedience into duty. Hence

\* See a small treatise by Plutarch entitled: *That Beasts Use Reason*.

the right of the stronger; a right which is apparently understood ironically, and in principle really established. But will no one ever explain this word to us? Force is a physical power; I fail to see what morality can result from its effects. To yield to force is an act of necessity, not of will; at most it is an act of prudence. In what sense can it become a duty?

[2] Let us assume this alleged right for a moment. I say that it can only result in an unintelligible muddle. For once force makes right, the effect changes together with the cause; every force that overcomes the first, inherits its right. Once one can disobey with impunity, one can do so legitimately, and since the stronger is always right, one need only make sure to be the stronger. But what is a right that perishes when force ceases? If one has to obey by force, one need not obey by duty, and if one is no longer forced to obey, one is no longer obliged to do so. Clearly, then, this word "right" adds nothing to force; it means nothing at all here.

[3] Obey the powers that be. If this means yield to force, the precept is good but superfluous, I warrant that it [355] will never be violated. All power comes from God, I admit it; but so does all illness. Does this mean it is forbidden to call the doctor? A brigand takes me by surprise at the edge of a woods: am I not only forced to hand over my purse, but also obliged in conscience to hand it over even if I could withhold it? For the pistol he holds is, after all, also a power.

[4] Let us agree, then, that force does not make right, and that one is only obliged to obey legitimate powers. Thus my original question keeps coming back.

#### CHAPTER FOUR OF SLAVERY

[1] Since no man has a natural authority over his fellow-man, and since force produces no right, conventions remain as the basis of all legitimate authority among men.

[2] If, says Grotius, an individual can alienate his freedom, and enslave himself to a master, why could not a whole people alienate its freedom and subject itself to a king? There are quite a few ambiguous words here which call for explanation, but let us confine

ourselves to the word *alienate*. To alienate is to give or to sell. Now, a man who enslaves himself to another does not give himself, he sells himself, at the very least for his subsistence: but a people, what does it sell itself for? A king, far from furnishing his subjects' subsistence, takes his own entirely from them, and according to Rabelais a king does not live modestly. Do the subjects then give their persons on condition that their goods will be taken as well? I do not see what they have left to preserve.

[3] The despot, it will be said, guarantees civil tranquility for his subjects. All right; but what does it profit them if the wars his ambition brings on them, if his insatiable greed, the harassment by his administration cause them more distress than their own dissension would have done? What does it profit them if this very tranquility is one of their miseries? Life is also tranquil in dungeons; is that enough to feel well in them? The Greeks imprisoned in the Cyclops's cave lived there [356] tranquilly, while awaiting their turn to be devoured.

[4] To say a man gives himself gratuitously is to say something absurd and inconceivable; such an act is illegitimate and null, for the simple reason that whoever does so is not in his right mind. To say the same of a whole people is to assume a people of madmen; madness does not make right.

[5] Even if everyone could alienate himself, he could not alienate his children; they are born men and free; their freedom belongs to them, no one but they themselves has the right to dispose of it. Before they have reached the age of reason, their father may in their name stipulate conditions for their preservation, for their well-being; but he cannot give them away irrevocably and unconditionally; for such a gift is contrary to the ends of nature and exceeds the rights of paternity. Hence, for an arbitrary government to be legitimate, the people would, in each generation, have to be master of accepting or rejecting it, but in that case the government would no longer be arbitrary.

[6] To renounce one's freedom is to renounce one's quality as man, the rights of humanity, and even its duties. There can be no possible compensation for someone who renounces everything. Such a renunciation is incompatible with the nature of man, and to deprive one's will of all freedom is to deprive one's actions of all morality. Finally, a convention that stipulates absolute authority



on one side, and unlimited obedience on the other, is vain and contradictory. Is it not clear that one is under no obligation toward a person from whom one has the right to demand everything, and does not this condition alone, without equivalent and without exchange, nullify the act? For what right can my slave have against me, since everything he has belongs to me, and his right being mine, this right of mine against myself is an utterly meaningless expression?

[7] Grotius and the rest derive from war another origin of the alleged right of slavery. Since, according to them, the victor has the right to kill the vanquished, the latter can buy back his life at the cost of his freedom; a convention they regard as all the more legitimate because it proves profitable to both parties. But it is clear that this alleged right to kill the vanquished in no way results from the state of war. Men are not naturally enemies, if only because when they live in their primitive independence [357] the relation among them is not sufficiently stable to constitute either a state of peace or a state of war. It is the relation between things and not between men that constitutes war, and since the state of war cannot arise from simple personal relations but only from property relations, private war or war between one man and another can exist neither in the state of nature, where there is no stable property, nor in the social state, where everything is under the authority of the laws.

[8] Individual fights, duels, skirmishes, are acts that do not constitute a state; and as for the private wars authorized by the ordinances of King Louis IX of France and suspended by the peace of God, they are abuses of feudal government, an absurd system if ever there was one, contrary both to the principles of natural right and to all good polity.

[9] War is then not a relationship between one man and another, but a relationship between one State and another, in which individuals are enemies only by accident, not as men, nor even as citizens,\*

\* The Romans who understood and respected the right of war better than any nation in the world were so scrupulous in this regard that a citizen was not allowed to serve as a volunteer without having enlisted specifically against the enemy, and one designated as such by name. When a Legion in which the Younger Cato fought his first campaign under Popilius was reorganized, the Elder Cato wrote to Popilius that if he was willing to have his son continue to serve under him, he would have to have him take a new military oath because, the first oath having been vacated, he could no longer bear arms against the enemy. And the same Cato

but as soldiers; not as members of the fatherland, but as its defenders. Finally, any State can only have other States, and not men, as enemies, inasmuch as it is impossible to fix a true relation between things of different natures.

[10] This principle even conforms to the established maxims of all ages and to the constant practice of all civilized peoples. Declarations of war are warnings not so much to the powers as to their subjects. The foreigner, whether he be a king, a private individual, or a people, who robs, kills, or detains subjects without declaring war on their prince, is not an enemy, he is a brigand. Even in the midst of war, a just prince may well seize everything in enemy territory that belongs to the public, but he respects the person and the goods of private individuals; he respects rights on which his own are founded. Since the aim of war is the destruction of the enemy State, one has the right to kill its defenders as long as they bear arms; but as soon as they lay down their arms and surrender they cease to be enemies or the enemy's instruments, and become simply men once more, and one no longer has a right over their life. It is sometimes possible to kill the State without killing a single one of its members: and [358] war confers no right that is not necessary to its end. These principles are not those of Grotius; they are not founded on the authority of poets, but follow from the nature of things, and are founded on reason.

[11] As regards the right of conquest, it has no other foundation than the law of the stronger. If war does not give the victor the right to massacre vanquished peoples, then this right which he does not have cannot be the foundation of the right to enslave them. One has the right to kill the enemy only when one cannot make him a slave. Hence the right to make him a slave does not derive from the right to kill him: it is therefore an iniquitous exchange to make him buy his life, over which one has no right whatsoever, at the cost of his freedom. Is it not clear that by establishing the right of life and death by the right of slavery, and the right of slavery by the right of life and death, one falls into a vicious circle?

wrote to his son to be careful not to appear in battle without having taken this new oath. I know that the siege of Clusium and other individual facts can be urged against me, but I cite laws, practices. The Romans are the people who least frequently transgressed their laws, and they are the only ones to have had such fine ones. [1782 edn.]

[12] Even assuming this terrible right to kill all, I say that a slave made in war or a conquered people is not bound to anything at all toward their master, except to obey him as long as they are forced to do so. In taking an equivalent of his life, the victor did not spare it: instead of killing him unprofitably, he killed him usefully. So far, then, is he from having acquired over him any authority associated with his force, that they continue in a state of war as before; their relation itself is its effect, and the exercise of the right of war presupposes the absence of a peace treaty. They have made a convention; very well: but that convention, far from destroying the state of war, presupposes its continuation.

[13] Thus, from whatever angle one looks at things, the right to slavery is null, not only because it is illegitimate, but because it is absurd and meaningless. These words *slavery* and *right* are contradictory; they are mutually exclusive. Either between one man and another, or between a man and a people, the following speech will always be equally absurd. *I make a convention with you which is entirely at your expense and entirely to my profit, which I shall observe as long as I please, and which you shall observe as long as I please.*

[359]

CHAPTER FIVE  
THAT ONE ALWAYS HAS TO GO BACK TO A FIRST  
CONVENTION

[1] Even if I were to grant everything I have thus far refuted, the abettors of despotism would be no better off. There will always be a great difference between subjugating a multitude and ruling a society. When scattered men, regardless of their number, are successively enslaved to a single man, I see in this nothing but a master and slaves, I do not see in it a people and its chief; it is, if you will, an aggregation, but not an association; there is here neither public good, nor body politic. That man, even if he had enslaved half the world, still remains nothing but a private individual; his interest, separate from that of the others, still remains nothing but a private interest. When this same man dies, his empire is left behind scattered and without a bond, like an oak dissolves and collapses into a heap of ashes on being consumed by fire.

[2] A people, says Grotius, can give itself to a king. So that according to Grotius a people is a people before giving itself to a king. That very gift is a civil act, it presupposes a public deliberation. Hence before examining the act by which a people elects a king, it would be well to examine the act by which a people is a people. For this act, being necessarily prior to the other, is the true foundation of society.

[3] Indeed, if there were no prior convention, then, unless the election were unanimous, why would the minority be obliged to submit to the choice of the majority, and why would a hundred who want a master have the right to vote on behalf of ten who do not want one? The law of majority rule is itself something established by convention, and presupposes unanimity at least once.

[360]

CHAPTER SIX  
OF THE SOCIAL PACT

[1] I assume men having reached the point where the obstacles that interfere with their preservation in the state of nature prevail by their resistance over the forces which each individual can muster to maintain himself in that state. Then that primitive state can no longer subsist, and humankind would perish if it did not change its way of being.

[2] Now, since men cannot engender new forces, but only unite and direct those that exist, they are left with no other means of self-preservation than to form, by aggregation, a sum of forces that might prevail over those obstacles' resistance, to set them in motion by a single impetus, and make them act in concert.

[3] This sum of forces can only arise from the cooperation of many: but since each man's force and freedom are his primary instruments of self-preservation, how can he commit them without harming himself, and without neglecting the cares he owes himself? This difficulty, in relation to my subject, can be stated in the following terms.

[4] "To find a form of association that will defend and protect the person and goods of each associate with the full common force, and by means of which each, uniting with all, nevertheless obey

only himself and remain as free as before." This is the fundamental problem to which the social contract provides the solution.

[5] The clauses of this contract are so completely determined by the nature of the act that the slightest modification would render them null and void; so that although they may never have been formally stated, they are everywhere the same, everywhere tacitly admitted and recognized; until, the social compact having been violated, everyone is thereupon restored to his original rights and resumes his natural freedom while losing the conventional freedom for which he renounced it.

[6] These clauses, rightly understood, all come down to just one, namely the total alienation of each associate with all of his rights to the whole community: For, in the first place, since each gives himself entirely, the condition is [361] equal for all, and since the condition is equal for all, no one has any interest in making it burdensome to the rest.

[7] Moreover, since the alienation is made without reservation, the union is as perfect as it can be, and no associate has anything further to claim: For if individuals were left some rights, then, since there would be no common superior who might adjudicate between them and the public, each, being judge in his own case on some issue, would soon claim to be so on all, the state of nature would subsist and the association necessarily become tyrannical or empty.

[8] Finally, each, by giving himself to all, gives himself to no one, and since there is no associate over whom one does not acquire the same right as one grants him over oneself, one gains the equivalent of all one loses, and more force to preserve what one has.

[9] If, then, one sets aside everything that is not of the essence of the social compact, one finds that it can be reduced to the following terms: *Each of us puts his person and his full power in common under the supreme direction of the general will, and in a body we receive each member as an indivisible part of the whole.*

[10] At once, in place of the private person of each contracting party, this act of association produces a moral and collective body made up of as many members as the assembly has voices, and which receives by this same act its unity, its common *self*, its life and its will. The public person thus formed by the union of all the others

formerly assumed the name *City*\* and now assumes [362] that of *Republic* or of *body politic*, which its members call *State* when it is passive, *Sovereign* when active, *Power* when comparing it to similar bodies. As for the associates, they collectively assume the name *people* and individually call themselves *Citizens* as participants in the sovereign authority, and *Subjects* as subjected to the laws of the State. But these terms are often confused and mistaken for one another; it is enough to be able to distinguish them where they are used in their precise sense.

#### CHAPTER SEVEN OF THE SOVEREIGN

[1] This formula shows that the act of association involves a reciprocal engagement between the public and private individuals, and that each individual, by contracting, so to speak, with himself, finds himself engaged in a two-fold relation: namely, as member of the Sovereign toward private individuals, and as a member of the State toward the Sovereign. But here the maxim of civil right, that no one is bound by engagements toward himself, does not apply; for there is a great difference between assuming an obligation toward oneself, and assuming a responsibility toward a whole of which one is a part.

[2] It should also be noted that the public deliberation which can obligate all subjects toward the Sovereign because of the two differ-

\* The true sense of this word is almost entirely effaced among the moderns; most take a city for a City, and a bourgeois for a Citizen. They do not know that houses make the city but Citizens make the City. This same error once cost the Carthaginians dear. I have not read that the subjects of any Prince were ever given the title *Citez*, not even the Macedonians in ancient times nor, in our days, the English, although they are closer to freedom than all the others. Only the French assume the name *Citizen* casually, because they have no genuine idea of it, as can be seen in their Dictionaries; otherwise they would be committing the crime of Lèse-Majesty in usurping it: for them this name expresses a virtue and not a right. When Bodin wanted to speak of our Citizens and Bourgeois, he committed a bad blunder in taking the one for the other. M. d'Alenbert made no mistake about it, and in his article *Général* he correctly distinguished the [362] four orders of men (even five, if simple foreigners are included) there are in our city, and only two of which make up the Republic. No other French author has, to my knowledge, understood the true meaning of the word *Citizen*.



ent relations in terms of which each subject is viewed cannot, for the opposite reason, obligate the Sovereign toward itself, and that it is therefore contrary to the nature of the body politic for the Sovereign to impose on itself a law which it cannot break. Since the Sovereign can consider itself only in terms of one and the same relation, it is then in the same situation as a private individual contracting with himself: which shows that there is not, nor can there be, any kind of fundamental law that is obligatory for the body of the people, not even the social contract. This does not mean [363] that this body cannot perfectly well enter into engagements with others about anything that does not detract from this contract; for with regard to foreigners it becomes a simple being, an individual.

[3] But the body politic or Sovereign, since it owes its being solely to the sanctity of the contract, can never obligate itself, even toward another, to anything that detracts from that original act, such as to alienate any part of itself or to subject itself to another Sovereign. To violate the act by which it exists would be to annihilate itself, and what is nothing produces nothing.

[4] As soon as this multitude is thus united in one body, one cannot injure one of the members without attacking the body, and still less can one injure the body without the members being affected. Thus duty and interest alike obligate the contracting parties to help one another, and the same men must strive to combine in this two-fold relation all the advantages attendant on it.

[5] Now the Sovereign, since it is formed entirely of the individuals who make it up, has not and cannot have any interests contrary to theirs; consequently the Sovereign power has no need of a guarantor toward the subjects, because it is impossible for the body to want to harm all of its members, and we shall see later that it cannot harm any one of them in particular. The Sovereign, by the mere fact that it is, is always everything it ought to be.

[6] But this is not the case regarding the subjects' relations to the Sovereign, and notwithstanding the common interest, the Sovereign would have no guarantee of the subjects' engagements if it did not find means to ensure their fidelity.

[7] Indeed each individual may, as a man, have a particular will contrary to or different from the general will he has as a Citizen. His particular interest may speak to him quite differently from the common interest; his absolute and naturally independent existence

may lead him to look upon what he owes to the common cause as a gratuitous contribution, the loss of which will harm others less than its payment burdens him and, by considering the moral person that constitutes the State as a being of reason because it is not a man, he would enjoy the rights of a citizen without being willing to fulfill the duties of a subject; an injustice, the progress of which would cause the ruin of the body politic.

[364] [8] Hence for the social compact not to be an empty formula, it tacitly includes the following engagement which alone can give force to the rest, that whoever refuses to obey the general will shall be constrained to do so by the entire body: which means nothing other than that he shall be forced to be free; for this is the condition which, by giving each Citizen to the Fatherland, guarantees him against all personal dependence; the condition which is the device and makes for the operation of the political machine, and alone renders legitimate civil engagements which would otherwise be absurd, tyrannical, and liable to the most enormous abuses.

#### CHAPTER EIGHT OF THE CIVIL STATE

[1] This transition from the state of nature to the civil state produces a most remarkable change in man by substituting justice for instinct in his conduct, and endowing his actions with the morality they previously lacked. Only then, when the voice of duty succeeds physical impulsion and right succeeds appetite, does man, who until then had looked only to himself, see himself forced to act on other principles, and to consult his reason before listening to his inclinations. Although in this state he deprives himself of several advantages he has from nature, he gains such great advantages in return, his faculties are exercised and developed, his ideas enlarged, his sentiments ennobled, his entire soul is elevated to such an extent, that if the abuses of this new condition did not often degrade him to beneath the condition he has left, he should ceaselessly bless the happy moment which wrested him from it forever, and out of a stupid and bounded animal made an intelligent being and a man.

[2] Let us reduce this entire balance to terms easy to compare. What man loses by the social contract is his natural freedom and an

unlimited right to everything that tempts him and he can reach; what he gains is civil freedom and property in everything he possesses. In order not to be mistaken about these compensations, one has [365] to distinguish clearly between natural freedom which has no other bounds than the individual's forces, and civil freedom which is limited by the general will, and between possession which is merely the effect of force or the right of the first occupant, and property which can only be founded on a positive title.

[3] To the preceding one might add to the credit of the civil state moral freedom, which alone makes man truly the master of himself; for the impulsion of mere appetite is slavery, and obedience to the law one has prescribed to oneself is freedom. But I have already said too much on this topic, and the philosophical meaning of the word *freedom* is not my subject here.

## CHAPTER NINE OF REAL PROPERTY

[1] Each member of the community gives himself to it at the moment of its formation, such as he then is, he himself with all his forces, of which the goods he possesses are a part. It is not that by this act possession changes in nature by changing hands, and becomes property in the hands of the Sovereign. But just as the City's forces are incomparably greater than a private individual's, so public possession in fact has greater force and is more irrevocable, without being any more legitimate, at least for foreigners. For with regard to its members, the State is master of all their goods by the social contract which serves as the basis of all rights within the State; but with regard to other Powers it is master of all of its members' goods only by the right of the first occupant which it derives from private individuals.

[2] The right of the first occupant, although more real than the right of the stronger, becomes a true right only after the right of property has been established. Every man naturally has the right to everything he needs; but the positive act that makes him the proprietor of some good excludes him from all the rest. Having received his share, he must be bound by it, and he has no further

right to the community [of goods]. That is why the right of the first occupant, so weak in the state of nature, is respected by everyone living in civil society. [366] In this right one respects not so much what is another's as what is not one's own.

[3] In general, to authorize the right of the first occupant to any piece of land, the following conditions must apply. First, that this land not yet be inhabited by anyone; second, that one occupy only as much of it as one needs to subsist. In the third place, that one take possession of it not by a vain ceremony, but by labor and cultivation, the only sign of property which others ought to respect in the absence of legal titles.

[4] Indeed, does not granting the right of the first occupant to need and to labor extend it as far as it can go? Can this right be left unbounded? Shall it suffice to set foot on a piece of common land forthwith to claim to be its master? Shall having the force to drive other men off it for a moment suffice to deprive them of the right to return? How can a man or a people seize an immense territory and deprive all mankind of it except by a punishable usurpation, since it deprives the rest of mankind of a place to live and of foods which nature gives to all in common? When Núñez Balboa, standing on the shore, took possession of the southern seas and of all of South America in the name of the crown of Castile, was that enough to dispossess all of its inhabitants and to exclude all the Princes of the world? If it had been, then such ceremonies were repeated quite unnecessarily, and all the catholic King had to do was from his council-chamber all at once to take possession of the entire universe; except for afterwards subtracting from his empire what the other Princes already possessed before.

[5] It is intelligible how individuals' combined and contiguous pieces of ground become the public territory, and how the right of sovereignty, extending from subjects to the land they occupy, becomes at once real and personal; which places the possessors in a position of greater dependence, and turns their very forces into the guarantors of their fidelity. This advantage seems not to have been fully appreciated by ancient monarchs who, only calling themselves Kings of the Persians, of the Scythians, of the Macedonians, seem to have looked upon themselves as chiefs of men rather than as masters of the country. Present-day monarchs [367] more