

Fragments of an Essay on

The State of War

By Jean-Jacques Rousseau

Translated by C. E. Vaughan

These examples suffice to give some notion of the various means by which a hostile State may be weakened and which the usages of war seem to justify as methods of injuring the enemy. With regard to the treaties presupposed by some of these means, what are such forms of peace at bottom but a continuation of the war, now waged with all the more cruelty that the enemy has no longer the right of self-defence? I will speak of this in another place.

Add to all this such plain proofs of ill-will as to refuse to another Power, its recognised titles, to reject its just claims, to treat its rights with contempt, to deny free trade to its subjects¹ to incite other Powers to attack it: in a word, the breach of international law to its prejudice, under any pretext whatsoever.

These various ways of harming a Body politic are not all either equal: practicable, or equally profitable to the Power which employs them; and those which redound at the same time to our own advantage and to the prejudice of the enemy naturally receive the preference. Land, money, men—all, in short, that can be seized as booty—these come to be the principal objects of hostilities on either side. And when this mean greed has insensibly changed the principles of men, war ends by sinking into mere brigandage; and, having started as enemies and warriors, they become by degrees tyrants and robbers.

To avoid slipping unconsciously into this confusion of ideas, let us at once fix our own ideas by a definition, and let us try to make it so simple that any abuse of it shall be impossible.

I say then that war between two Powers is the result of a settled intention, manifested on both sides, to destroy the enemy State, or at least to weaken it by all means at their disposal. The carrying of this intention into act is war, strictly so called so long as it does not take shape in act, it is only a state of war.

I foresee an objection. As, on my principles, the state of war is the natural relation of one Power to another, why do I say that the intention from which war results requires to be manifestly displayed? My answer is that, in the passage referred to, I was speaking of the natural state and that I am now speaking of that which is legitimate; and I shall show hereafter that, to be legitimate, war requires to be declared.

¹ It is clear that 'free trade' is here used not in the technical sense of immunity from protection duties, but in the more general sense of permitting foreigners to trade in the home market and 'nationals' in foreign markets. (Translator's note)

I must beg my readers to remember that I am not asking what makes war profitable to him who wages it, but what makes it legitimate. To be just almost always entails some sacrifice. But does that entitle a man to be unjust?

If there never was and never could be such a thing as a war between individuals, who then are those between whom war takes place and who alone can truly be called enemies? I answer that they are public persons. And what is a 'public person'? I answer that it is that moral creation called a Sovereign, which owes its existence to a social compact and all the decisions of which go by the name of 'laws.' Applying here the distinctions made above, we are entitled to say, when considering the results of war, that it is the Sovereign which causes the injury and the State which suffers it. And if war is possible only between such 'moral beings' it follows that the belligerents have no quarrel with individual enemies and can wage war without destroying a single life. This, however, requires explanation.

If we look at the matter according to the strict terms of the social compact, land, money, men—all, in short, that is included in the scope of the State—belong absolutely to the State. But the rights of society cannot do away with the rights of nature, upon which they are themselves founded. Accordingly, all these objects have to be regarded in a double light: I mean, the soil both as the territory of the community and the patrimony of individuals; the property as belonging in one sense to the Sovereign and in another to the owners; the inhabitants both as citizens and as men. At bottom, the Body politic, being a 'moral personage,' is no more than a creation of reason. Take away the social convention, and that very instant the State is destroyed without the smallest change in any one of the particles which compose it; and not all the conventions of men will ever change the physical nature of things. What then is it to make war upon a sovereign Power? It is to attack the social convention and all that is involved in it; for it is that which constitutes the essence of the State. And if the social compact could be dissolved at a single stroke, that instant the war would be at an end. At that one stroke, and without the loss of a single life, the State would be killed.

I open the books on Right and on ethics; I listen to the professors and jurists; and, my mind full of their seductive doctrines, I admire the peace and justice established by the civil order; I bless the wisdom of our political institutions and, knowing myself a citizen, cease to lament I am a man. Thoroughly instructed as to my duties and my happiness, I close the book, step out of the lecture room, and look around me. I see wretched nations groaning beneath a yoke of iron. I see mankind ground down by a handful of oppressors. I see a famished mob, worn down by sufferings and famine, while the rich drink the blood and tears of their victims at their ease. I see on every side the strong armed with the terrible powers of the Law against the weak.

And all this is done quietly and without resistance. It is the peace of Ulysses and his comrades, imprisoned in the cave of the Cyclops and waiting their turn to be devoured. We must groan and be silent. Let us for ever draw a veil over sights so terrible. I lift my eyes and look to the horizon. I see fire and flame, the fields laid waste, the towns put to sack. Monsters! where are you dragging those hapless wretches? I hear a hideous noise. What a tumult and what cries! I draw near; before me lies a scene of murder, ten thousand slaughtered, the dead piled in heaps, the dying trampled under foot by horses, on every side the image of death and the throes of death. And that is the fruit of your peaceful institutions! Indignation and pity rise from the very bottom of my heart. Yes, heartless philosopher! come and read us your book on a field of battle!

What soul of man but would be moved at these woeful sights? But in our days it is forbidden to be a man, or to plead the cause of humanity. Justice and truth are commanded to give way before the interest of the powerful: that is the rule of the world. No pension, no office, no chair in the Academy is in the gift of the people. Why then should the people be protected? High-souled princes! I speak in the name of the literary profession. Oppress the people with a clear conscience! It is to you only that we look for advancement. To us the people is good for nothing.

How can a voice so weak as mine make itself heard through the din of corrupt applause? Alas! I must hold my peace, though the cry of my heart would fain break the cruel silence. And without entering into hateful details, which would be taken for satire just because they are the truth, I will confine myself to testing the institutions of man by their first principles; to correcting, if so it may be, the false notions which the self-interest of writers strives to spread among us; at least, to making it impossible that injustice and violence should impudently usurp the names of Right and justice.

The first thing I notice in looking at the state of mankind is a palpable contradiction which makes all stability impossible. As individuals, we live in the civil state, under the control of the Law; as nations, each is in the state of nature. And it is this which makes our position worse than if such distinctions were unknown. For, living as we do at once in the civil order and in the state of nature, we find ourselves exposed to the evils of both conditions, without winning the security we need in either. The perfection of the social order lies, doubtless, in the union of force and Law. But such a union is only possible when force is controlled by Law; whereas, so long as the prince is regarded as absolutely uncontrolled, it is force alone which speaks to the subject under the name of Law and to the foreigner under the name of reason of State: (so taking from the latter the power, and from the former the very will, to offer resistance.) The result is that, in both cases, brute force reigns under the empty name of justice.

As for what is commonly called international Right, it is certain that, for want of any sanction, its laws are illusions even weaker than the law of nature. The law of nature speaks at least to the heart of the individual; but international Right, having no other sanction than the interest of those who voluntarily submit to it, can never make its decrees respected except in so far as they are supported by self-interest. Thus, in the hybrid order in which our lot is cast, whichever of the two conflicting principles we follow, we find that, having done either too much or too little, we have in effect done nothing at all, and have only succeeded in putting ourselves in the worst position that it was possible to discover. That, as it seems to me, is the true source of our social misery.

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