

*Introduction to the social contract theory*¹

by Kevin J. Browne

Social contract theory raises the possibility that the need for social order and certain inherent constraints might provide us with a natural basis for morality. While it might seem that there are strong incentives for social anarchy without an outside objective (and perhaps supernatural) source of morality, according to some philosophers like Thomas Hobbes, the incentive is built into the social system by the very nature of our existing among each other. The need naturally exists for us to form some sort of agreement to treat each other with basic respect and follow certain basic rules. That is, we find it most advantageous to form a social contract to base our lives in general and our moral judgments.

What would life without such a contract be like? According to Hobbes it wouldn't be pretty! Unbounded liberty can be very dangerous and life without any rules at all would, according to Hobbes, be "solitary, nasty, brutish, and short." But why should this be? Can't we just live and let live? In a word the answer is no due to four important factors which together conspire to put us at odds with one another unless we form some sort of social contract to mitigate these factors.

1. Equality of need: We all have certain basic needs in common such as food, clothing, and shelter.
2. Scarcity: Factor one wouldn't really be a problem at all except for factor two which is scarcity. There is not an unlimited supply of food, clothing, and shelter just to name the essentials. Economists know this all too well and often define economics as the study of the scarce allocation of resources which have alternative uses.
3. Equality of human power: Here is the factor that really creates a serious problem when combined with factors one and two. For a time, a few can perhaps take control and take what they want at the expense of everyone else. But, in the long run, this power cannot be sustained because one person's weakness is another person's strength. One person may have force on their side, but perhaps others have another advantage. In the end these differences tend to even out which creates a situation where everyone is, in Hobbes' phrasing, at war against everyone else for the same scarce resources.
4. Limited altruism: One solution to the problem is to rely on the kindness of strangers (to paraphrase the famous play). But, this won't work either since we all have limits to how altruistic we are. Let's face it we are not infinitely compassionate towards our fellow human beings.

So, taken together these factors create real problems in the absence of any social order or moral rules. How can we prevent these factors from leaving us in the brutish position Hobbes calls the state of nature? What incentive do we have to come together or cooperate in any way to mitigate these factors? The strongest incentive is to avoid the state of nature and the "war of all against all" that Hobbes warns us about. To do this we need to establish a mutual agreement that involves two factors. First, that we will not harm one another and second that we will keep our word with one another. These two factors, which Hobbes saw as the primary responsibility of government, would allow us to come together and cooperate socially as well as economically.

Escaping the state of nature has its benefits but the social contract does come with a price. We must be willing to give up some of our liberty in order to secure a stable social context. We must

give some of our power to a centralized authority to enforce the rules we agree to for not harming one another and keeping our agreements. For Hobbes this central authority had to be very strong and ideally in the hands of one or a few people. Hobbes advocated a monarchy as the best form of government. Other advocates of the social contract like John Locke saw that it was possible to gain the benefits of cooperation within the framework of a democratic republic. Lucky for us, Thomas Jefferson recognized this as well. As did Madison, who authored many of the Federalist papers which argued for the ratification of our Constitution, which turns out to be a tangible form of the social contract. Interestingly one of the co-authors of these papers, Alexander Hamilton, was more sympathetic to Hobbes' beliefs in the need for strong central government.

In either form though, social contract theory says that "morality consists in the set of rules, governing how people are to treat one another, that rational people will agree to accept, for their mutual benefit, on the condition that others follow those rules as well."

Another argument for the social contract is known as the prisoner's dilemma. As you've seen from answering the question concerning this, there is a powerful incentive to defect in order to preserve your own interest. Of course, everyone else thinks about it the same way and also defects. But the end result is that we're all worse off than we would have been had we chosen to cooperate. And that's the point. In order to see this we must look beyond the short term consequences of our action to their long term consequences.

Again, economists have known this for many years and written eloquently about this. The best example of this is Henry Hazlitt's book *Economics in One Lesson* where he exposes a lot of faulty thinking in economics and attributes much of it to a specific fallacy which he calls the broken window fallacy. As it turns out this fallacy is very similar to the faulty reasoning many use in the prisoner's dilemma which ends up making them worse off.

Briefly, the broken window fallacy occurs when we only look at the short term, visible consequences of our action instead of the long term consequences. The name comes from the following story. A shopkeeper becomes the victim of vandalism when a young hoodlum breaks his window. As people gather around the shopkeeper's store they begin to reflect on how unfortunate the incident is. But someone points out that it might be a good thing after all since this way glassmakers stay in business. If it wasn't for broken windows what would glassmakers do for business? So, there has been an economic benefit to the unfortunate incident. From this we might conclude that destruction is a good thing since it creates jobs.

What this line of reasoning misses is that the very day the shopkeeper was going to get a new suit from the tailor just down the street. So, now instead of having a window and a new suit the shopkeeper just has a new window. So, there's been no net addition to the economy. In fact there has been a loss overall. Economics is replete with examples of this fallacy and it turns out that the prisoner's dilemma is vulnerable to the same mistake. No one is really better off by defecting and choosing not to cooperate though in the short run it seems that we are better off. And of course this makes sense if we consider that we could end up in a worse situation if we cooperate and the other person defects.

We have two choices. Either we act benevolently or we are egoists. Of course, everyone else has this choice as well. While the best situation would be if I were an egoist and everyone else was benevolent, that's very unlikely. What's more likely is that everyone will think this way and we all end up as egoists which is not the worst scenario but only one step better. This, of course, is Hobbes' state of nature. We can improve on this by cooperating.

The social contract theory clearly has advantages but also disadvantages. The major benefits

to social contract theory are that it provides very clear answers to very difficult questions in ethical theory. For example: What moral rules are we bound to follow and how are those rules justified? Why is it reasonable for us to follow the moral rules? Under what circumstances are we allowed to break the rules? It also seems to provide an objective basis for morality.

The major disadvantages involve questions about whether the social contract ever had a basis in history and how it addresses non-participants in the contract. More recent defenders of the social contract such as John Rawls are clear about the fact that the social contract does not necessarily refer to a real historical event. The point of the social contract is to act as a test for the justification of moral principles. Also, it can be said that we implicitly participate in such a social contract by acting cooperatively in our social arrangements. We vote and those who don't tacitly assent by going along with the outcome.

The second objection has to do with non-participants to the contract. Here he seems to have two groups in mind; non-human animals and non-rational humans. Strictly speaking both groups are left out of the social contract and so our treatment of them need not be guided by the moral principles within the contract. This seems problematic at the very least and disturbing at worst. Remember that the utilitarians pointed out that the only criterion necessary for claiming that certain treatment was immoral was the capacity for suffering. Whether certain parties are involved in the social contract seems irrelevant to how we ought to treat them. Even Kant would have recognized that we owe respect and decent treatment to people (and animals) regardless of their capacity for entering into contracts either explicitly or implicitly.

Introduction to the social contract theory theory²

by Louise Rusling

The social contract theory can be defined loosely as a sort of hypothetical or actual agreement between society and its state. This agreement has been said to be responsible for the bases of our moral decisions and stances. In other words we merely abide by the governments rules and regulations in the hope that others will do the same, subsequently leading to a more secure and comfortable life. This theory draws on several philosophers, who include Hobbes, Locke, Hume and Rousseau, to explore whether it is true that our moral obligations can be explained by a social contract. Each Philosopher has a different take on this argument, Hobbes for example gives a vivid and bleak account of what life would be like without a social contract, otherwise known as the 'state of nature', denoting that the social contract plays a big part in our moral actions. Whereas Locke is a lot more optimistic and painted a more attractive picture of the state of nature', suggesting that our moral duties would still stand even without enforced rules and regulations. Hume passes judgement on both these philosophers and feels that there is no need for a social contract to shape our moral obligations because common sense would tell us that respect for each other would be a necessity to ensure a manageable society. The last philosopher, named Rousseau felt that the social contact was an agreement between individuals that is held together by common interests. Rousseau gives a different perceptive on the social contract, explaining that it doesn't have to mean sacrificing our freedom to a government in the hope for security, simply because so much can be gained by co-operating as part of a society. By examining each of these philosophers views regarding the social contract theory we can begin to not only question the nature of our morality but also our relationship with authority.

Thomas Hobbes book *Leviathan* (1651) captures his main ideas around morality being the same as the law. In other words our actions are governed by the law and not our conscience. This very notion is depicted in his version of the 'state of nature' where no laws exist. Life in the 'state of nature' in Hobbes words is "solitary, poor, nasty, brutish and short' and also that man is in continual fear, and in danger of a violent death¹." Once we begin to examine life without rules and regulations we can really begin to question and reflect on our own morality. It could be argued that even if we did want to take the moral high ground in the state of nature we could still be forced into a corner by others who are reckless, making you as selfish as the next man. This would suggest that Hobbes supports the egoist theory, which adopts the view point that people are self motivated and only act for there own self interests. Both of these descriptions are how Hobbes describes people in the state of nature'.

One problem with the social contract theorists, and especially with Hobbes, is that the whole notion of the theory is that moral obligations and duties are reciprocated. For example the reason why you don't scratch other people's cars is in the hope that nobody scratches your car. However, one flaw with this argument is that we might exclude certain groups who would not be expected to return the favour, which we need not be exclude. These groups could include people with learning difficulties or young children as they cannot be held responsible for their own actions.

Hobbes theory was challenged by John Locke who felt that our morality is not based on law and government, or the social contract. In fact Locke envisaged that the state of nature' would be

¹Hobbes (2005) *Sovereignty and Security*' In Cottingham, J (ed.), *Western Philosophy: an anthology*. Pt. IX, Section 3, PP481

a much more inhabitable place. His reason for this is that we have natural laws which are also referred to as god-given laws. Locke recognises that there would still be the need for some sort of governing body, but in contrast to Hobbes theory, individuals are morally equal and would personally be able to enforce punishments for bad behaviour. One criticism here would be that individuals could have the tendency to be biased. Another obvious criticism is that Locke's state of nature' is dependent on a lot of religious connotations. However, you have to take in to consideration that it was written in a period when this would be a lot more relevant.

David Hume heavily criticised Hobbes and Lockes versions of the social contract. Firstly he points out that there had never been a situation called the state of nature' and that nobody had consented to a social contract, mainly because the social contract was purely hypothetical. The following quote explains nicely Hume's thoughts about why we agree to the state:

"Men, therefore, are bound to obey the magistrates, only because they promise to it: and if they had not given their word, either expressly or tacitly, to preserve allegiance, it would never have become a part of their moral duties²"

What Hume is saying here is that we are born into a society and we don't need a contract theory because our belief is that the government is in our best interests and therefore the people support its continuation. This is interesting because if we know that it is in our best interests to be ruled by the state then this could suggest that our moral obligations would not stand without it. Although Hume was hopeful about human nature and felt that people can exhibit qualities such as faithfulness and politeness which are not directly related to self-development or happiness.

Jean-Jacques Rousseau famously wrote *The Social Contract* which central aim was to explain the sources and limits of legitimate authority. Rousseau believes that we are not sacrificing freedom to adhere to the state because so much freedom can be gained from the state. He stated we might add that man acquires the civil society, moral freedom, which alone makes man a master of himself; while obedience to a law one prescribes to oneself is freedom³.

This is a slightly different concept because he is saying here that a state or ruling body needn't be oppressive, in fact quite the opposite because he explains our moral obligations can only flourish. In spite of this Rousseau doesn't make any assumptions about human beings having any superior moral values without a so called social contract. He does however explain that humans are naturally compassionate and do not like to see others come to any harm or distress.

This is not only an interesting notion, but maybe a convincing one. It could be argued that not all moral actions are as a result of law and order, but because we care and genuinely want to do the right thing. There are plenty of examples of people wanting to do good', such as charities and philanthropy, or quite simply helping an elderly gentleman who has fallen. Obviously, it would be unrealistic and naive to assume that everyone is a do-gooder and even without a government everyone would be civilised. Also, this view of compassion is a huge contrast to Thomas Hobbes ideas about everyone being out for themselves. Maybe it could be said that there is some truth in both arguments. This belief that compassion plays a big part in human nature is also reflected in Rousseau's *Social Contract* theory, which advocates that people would effortlessly co-operate as part of a society.

In conclusion it would be difficult to determine whether all our moral obligations could be justified by a social contract theory. As mentioned above there are acts of kindness seen everyday

²Hume (2000) *A Treatise of Human Nature*' In Baillie J, Hume on Morality, Chapter 6, PP 184

³Rousseau, J-J (2004) *The Social Contract*. London, Penguin Great Ideas. Chapter 8, PP 21

from people which don't expect anything in return. This argument touches on altruism which can be defined as a theory concerned with selfless acts. It is Hobbes who argues against this point, stating that people are primarily concerned with themselves, leaving little attention for anyone else. Locke is more optimistic about human nature and our moral reasoning; however, a lot of his views are backed up with religion making them less believable to some readers. Both Hobbes and Locke cleverly explain that our moral obligations can be justified by portraying life without rules and regulations. This state of nature' is a great thought experiment to see how we would act and behave, but most importantly whether our principles would change. Both Hume and Rousseau give a more convincing and optimistic view of human nature. Hume didn't take the contract or the consent issue so literally and explained that we are naturally impelled to abide by the rules of society and maintain our moral duties because without them society would collapse. Our moral obligations and duties are by nature complex and can be justified in a number of ways, and the social contract theory could be just one of them.

Notes

¹<http://www.helium.com/items/1059025-introduction-to-the-social-contract-theory>

²<http://www.helium.com/items/473610-introduction-to-the-social-contract-theory>