Social Contract Theory

As this theory’s name suggests, moral principles are based on a contractual agreement. A peaceful, well-ordered society becomes possible when people agree to uphold a common set of moral principles, which they do for their mutual advantage.

For the social contract theory: The correct moral principles are the ones that rational people would agree to live by in order to enjoy the benefits of social living, provided others agree to do the same. Their agreement to live by the principles is what makes them correct.

History of the Social Contract Theory

Thomas Hobbes (1599–1679) is considered to be the founder of the modern social contract theory, although similar ideas can be found in ancient times.

He developed the theory during the English Civil War, partly in order to explain why his countrymen in England should favor being governed by a King, rather than by a Parliament.

*The State of Nature*

Hobbes imagined what human life must have been like prior to all laws and governments, prior even to all moral principles. In this “state of nature,” as he called it, individuals would have had the right to do whatever they please; nothing would have been illegal or immoral. The state of nature would have been a “war of all against all.”

*The Social Contract*

People in the state of nature would have been rational. So they would at some point have agreed with one another, by a kind of contract, to surrender their natural rights to do whatever they please. They would have readily agreed to restrict their behavior affecting others, in exchange for others’ agreeing to restrict their behavior affecting them. Mutual restrictions like these benefit everyone.

The social contract as imagined by Hobbes would not be historical. It would not have taken place on some date in human history. It would instead be ideal. It would be an agreement that any human being would make under those circumstances, anywhere and at any time, because it is rational to do so.

*The Sovereign*

But the contract idea will not work unless someone more powerful than the parties to the contract can force them to uphold their agreement. A powerful “sovereign,” or monarch, is needed to enforce people’s compliance with the terms of the social contract. The sovereign would originate a society’s government, laws and law enforcement.

Hobbes recognized that sovereigns cannot be parties to the contract. If they were, they would have to enforce their own compliance, which makes no sense. Sovereigns must therefore remain in the state of nature, retaining the right to do whatever they please. Laws and moral principles do not apply to them.
• **Life in the Commonwealth**

Hobbes called a contract-based society ruled by a sovereign a “commonwealth.” In a commonwealth, the sovereign would have absolute power to impose laws, and to say what rights the people have, if any. Like God in the Divine Command Theory, the sovereign also commands what is right and wrong. Life in a commonwealth may seem unattractive. But it is still better than the alternative: the state of nature.

• **Social Contract Theory in the Late 20th Century**

John Rawls (1921-2002), a Harvard professor, developed a better social contract theory around the 1970s. His idea was that under the right circumstances, rational people themselves could choose the correct moral principles. The principles would be correct because rational people would agree to live by them.

• **The Original Position**

Rawls imagined a population of ideally rational people, at the precise point of establishing a social contract in order to leave the state of nature. As he imagined them in this “original position” of a society, they would be: (i) fully rational, and (ii) fully knowledgeable about human nature and society, despite not yet having lived in a society. Additionally, (iii) each would want nothing more than to live as happily as possible in the newly formed society.

• **The Veil of Ignorance**

A further and crucially important characteristic of the imagined contractors is that: (iv) they would be under a “veil of ignorance,” meaning that they would not know anything about themselves as individuals. They would be ignorant of their ages, sexes, races, religions, occupations, and their abilities or disabilities. They would not know if they are rich or poor.

• **How the Theory Works**

The correct moral principles would be the ones agreed to by people in the original position, under the veil of ignorance. Following their agreement, they would leave the original position and live in society as normal human beings. They would agree to live by their chosen principles not because they think they are correct, but because doing so would give them the best chance for a happy life. For example:

**Lying:** rational people would obviously agree that lying should be wrong, because they would want others to tell them the truth, in order to have a better chance of living happily.

**Stealing:** they would agree that stealing should be wrong, for the benefit of security in their possessions.

**Equal Rights:** they would agree to equal rights for all human beings, regardless of race, sex, religion or nationality; because otherwise, they risk having fewer rights than others, and less happiness.

• **A Problem for the Theory**

Some object to the fact that the correct moral principles of the social contract theory are determined solely by the interests of rational human beings. Since non-rational animals do not have the ability to make contractual agreements, the theory’s principles cannot be expected to protect animals’ interests.