**Social Contract Theory notes**

Why do we have government at all? What would life be like without government?

Enlightenment thinkers believed that all humans possessed natural rights and liberties.

They also believed that structured governments were necessary to protect our rights and liberties. But don’t governments naturally restrict our freedom? Is this a contradiction?

Not really. During the Enlightenment, philosophers developed the theory of the Social Contract: we enter into an unspoken arrangement in human society, where we agree to give up complete freedom in exchange for having a government that can protect our natural rights.

3 Enlightenment *philosophes* offered different takes on the social contract:

Thomas Hobbes:

* Imagined a theoretical life without government: “the state of nature”
* Since Hobbes was pessimistic about human nature, he described life in the “state of nature” as “nasty, brutish, and short”
  + Basically, without government to keep us in line, we would all kill each other
* In order to protect our natural rights, Hobbes said we agree to be ruled by an absolute ruler (a “Leviathan”) who can keep us all in line

John Locke:

* Defined the natural rights that we expect our government to protect as “life, liberty, and property”
  + Locke was a wealthy property-owner in England, so this definition served him well
* Since Locke viewed human nature more optimistically than Hobbes, he didn’t think an absolute ruler is necessary
  + He favored being governed by Parliament, a group of elected leaders representing the upper class in England
* Believed that if government doesn’t protect these rights, it has broken its end of the contract
  + In such a case, we can break our end of the contract – Revolution!
  + Locke was a major inspiration for Thomas Jefferson when he wrote our Declaration of Independence

Jean-Jacques Rousseau

* Believed the state of nature had actually existed, and that humans had lived freely and equally
* Thought governments had taken away this natural freedom: “Man is born free but everywhere is in chains”
* For Rousseau, the only legitimate government is one where all people enter into the social contract together – we all agree to give up total freedom in exchange for living under a set of laws
* The government should follow the will of the majority of the people – direct democracy
* If the government is not acting in the interest of the “common good,” it should not be obeyed
* Rousseau was one of the major ideological forces behind the French Revolution

Another word for “government” is “**the state**.” (This is different than a politically-defined territory, like the State of Maine.) According to German political philosopher Max Weber, a “state” is a governing power that possesses a monopoly on the legitimate use of force.

In our society, we see this state power expressed through the police and the military. Those are the only groups who we say have the legitimate power to use force (violence.) All others who use force are using it illegitimately (or have specific blessing which flows from laws determined by the state.)

Social contract theory, as developed during the Age of Enlightenment, gets at this idea of what gives the state its legitimacy. If the old idea was that the state’s legitimacy was granted by God (i.e. “the divine right of kings”), Enlightenment philosophers challenged that idea.

Old Idea: The state’s power is granted by God

New Idea: The state’s power comes from the consent of the people

Old Idea: The state’s power gives force to law

New Idea: The law gives the state power

Old Idea: “L’etat, c’est moi.” – Louis XIV, king of France

New Idea: “I am the first servant of the state” – Frederick II (“the Great”), king of Prussia