

## **Contractarianism (Contractualism)**

Contractarianism as an ethical theory derives from the social contract political theory of Thomas Hobbes (1588-1679). Hobbes believed that the fundamental warrant of the legal obligations that a state imposes upon its citizens stems from a tacit agreement that those citizens have with the state to the effect that the citizens will obey the laws of the state in exchange for the security, comfort, and prosperity that the state affords its citizens. In Hobbes' view, we should obey the laws of our government for the same reason that parties to a contract should follow the terms of their contract: a voluntary agreement binds individuals to uphold, in both cases, certain obligations. The one crucial difference is that in the case of the citizens' contract with the state, the agreement is tacit. We do not as citizens sign a contract with the state, or pledge an oath to follow the laws of the state, rather our voluntary choice to live within the boundaries of the state and reap the benefits of the civilized life that it provides constitutes a tacit acceptance of the terms of the agreement, the social contract.

There have been many criticisms of social contract theory, criticisms that show it to be all but untenable as a political theory in the way that Hobbes presented it. But the general notion that our relationships with others within society do entail, or it least may be fruitfully understood to entail, implicit agreements or contracts between individuals is still cogent in the views of many moral philosophers. When we believe that we have been treated wrongly by a friend who has betrayed us, we might provide a warrant for this belief by suggesting that a friendship involves certain reasonable expectations concerning how friends will treat each other, that no reasonable person would enter into a friendship with another person if they believed that these expectations would not be met, that our friend understands the content of these expectations, and therefore that these expectations have the force of an agreement that might be, although it hardly ever is in any particular case, stated explicitly as a set of rules: one should help a friend in need, not violate confidences, etc. Similar expectations pertain to other social relationships: we expect that parents will care for their children, that children will care for elderly parents to the extent of their means, that doctors will use every viable means available and appropriate to cure their patients, etc. These expectations define our social relationships, and account for the ways in which our social connections with others aid us in living a more productive and satisfying life. In each case, if these expectations are not met, we might not only feel aggrieved, but believe that the offending person has broken a trust with us, and thus has acted in violation of their moral duty to us. This is a moral judgment. We are making the basic judgment that it is not only explicitly stated agreements between individuals, such as legal contracts, that bind by mutual obligation, but also tacit agreements constituted by mutual, reasonable expectations that we all understand when entering into social relationships with one another.

This is the heart of the ethical theory known as contractarianism or contractualism. Moral obligations stem from those basic rules that underlie and sustain our social lives, rules that reasonable persons would agree are necessary to define the minimal standards of behavior within given social relationships, and therefore rules that no reasonable person would consent to the violation of by others in these relationships. We can state, then, the basic moral principle of the theory in this manner:

One ought to abide by those rules that rational moral agents would agree to observe when entering into a social relationship for their mutual benefit.

From: <http://www.nwmissouri.edu/~rfield/274overview.html#contractarianism>

### **Questions on Contractualism**

1. What did Hobbes think the unwritten agreement was between the state and the individual?
2. What is the credo of the contractarian?
3. Give three examples where society uses contractarianism.