

## **Modern & Contemporary Social & Political Philosophy**

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**The social contract:** a hypothetical procedure (thought-experiment) to morally justify the legitimacy of government and juridical, political institutions. The idea is that legitimate state authority must be derived from the consent of the governed.

**Thomas Hobbes:** absolutist version of the social contract  
state of nature - social contract - "commonwealth" (civil society, rule of law)

In order to leave the state of nature (war of all against all, fear of violent death) humans must transfer their rights to an absolute sovereign (esp. monarch) in order to enjoy the benefits of a peaceful co-existence under the rule of law (juridical procedures and political institutions that regulate the duties and rights of all citizens).

The idea is that humans give up their natural rights (rights to all things, esp. self-preservation) for the sake of protection, safety, and mutual recognition. Hence the idea of political obligation, as opposed to anarchy: one must pay taxes and comply with the law, as one recognizes the legitimacy of government.

**John Locke:** a liberal-democratic version of the social contract

For Locke, the main purpose of the social contract is the preservation of the property of all the members of that society, by securing the individuals' natural rights to life, liberty, and property. Political authority must be, therefore, limited to the public sphere and cannot intervene in private matters, where individuals are free to pursue their self-interests and moral conceptions of happiness. Society must be thus distinguished from government, which can be resisted by civil disobedience.

**Classical liberalism** (J.S. Mill): individual liberties and rights must be extended to all persons in civil society. Hence, slavery is morally wrong, just as women's suffrage and the rights of workers must be also recognized by any legitimate government. All areas of the public sphere of action must be covered by the principle of liberty.

**Communism** (Karl Marx and Friedrich Engels): seeks to promote the establishment of a classless society based on the common ownership of the means of production. According to Marxism, capitalism is based on the exploitation of workers by the owners of capital (the bourgeois or the ruling elites). In order to overcome this continual exploitation of oppressed workers by dominating oppressors, a proletarian revolution is in order so as to overturn the historical processes of class struggles. All previous societies have been caught up in the history of class struggles. The proletariat comprises all the lower strata of the middle class (tradespeople, shopkeepers, handicraftsmen, peasants) who sink gradually into a class of workers whose strangled, alienated labor is reduced to the means to sustain the physical existence of the laborer and is also the source of profit for the owner of the means of production (capital). Hence the proletarian condition of exploitation and alienation.

**Immanuel Kant:** Morality > Law > Politics :: categorical imperative > right > justice

According to **John Rawls**, we must rescue the egalitarian dimension (i.e. the principle of equality) of democracy by means of a theory of justice that generalizes and carries to a higher level of abstraction the familiar theory of the social contract.

In order to assign rights and duties for all citizens in a just society, Rawls postulates an original position, where the parties, from behind a veil of ignorance, choose the principles of justice to distribute the social primary goods for a well-ordered society, in which public criteria for judging the feasible, basic structure of society would be publicly recognized and accepted by all.

By this thought-experiment, Rawls believes that our concrete, actual conceptions and institutions can be calibrated through reflective equilibrium towards a more just, egalitarian society (well-ordered society), as we continually try to apply the two principles of justice to our social, economic and political institutions:

First: Each person is to have an equal right to the most extensive scheme of equal basic liberties compatible with a similar scheme of liberties for others. (**Equal Liberty Principle**)

Second: Social and economic inequalities are to be arranged so that : a) offices and positions must be open to everyone under conditions of **Fair Equality of Opportunity**; b) they are to be of the greatest benefit to the least-advantaged members of society (**Difference Principle**).

**Justice as fairness** = equal liberty > fair equality of opportunity > inequalities acceptable by less favored

**Foucault-Chomsky** on Human Nature and Justice: Contextualism vs. Universalism  
The **Habermas-Foucault** Debate: Modernity vs. Post-Modernity

"Contractarianism" names both a political theory of the legitimacy of political authority and a moral theory about the origin or legitimate content of moral norms. The political theory of authority claims that legitimate authority of government must derive from the consent of the governed, where the form and content of this consent derives from the idea of contract or mutual agreement. The moral theory of contractarianism claims that moral norms derive their normative force from the idea of contract or mutual agreement. Contractarians are thus skeptical of the possibility of grounding morality or political authority in either divine will or some perfectionist ideal of the nature of humanity. Social contract theorists from the history of political thought include Hobbes, Locke, Kant, and Rousseau. The most important contemporary political social contract theorist is John Rawls, who effectively resurrected social contract theory in the second half of the 20th century, along with David Gauthier, who is primarily a moral contractarian. There is no necessity for a contractarian about political theory to be a contractarian about moral theory, although most contemporary contractarians are both. It has been more recently recognized that there are two distinct strains of social contract thought, which now typically go by the names "contractarianism" and "contractualism."

Contractarianism, which stems from the Hobbesian line of social contract thought, holds that persons are primarily self-interested, and that a rational assessment of the best strategy for attaining the maximization of their self-interest will lead them to act morally (where the moral norms are determined by the maximization of joint interest) and to consent to governmental authority.