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“Hobbesian, Lockean, and Rousseauian Responses to Hume”

David Hume is the first philosopher to write a critique on the social contract theory. A large portion of his critique is that the social contract theory is ahistorical. I believe it to be the most interesting of his arguments because of the popularly expressed need for a social contract to be explicit from the authority and the subjects at both the government's inception and throughout its lifespan. These claims are substantiated by history and the practical ways that governments were organized and enforced, especially in pre-written language societies. In the same breadth I believe that each of the social contract theorists Hobbes, Locke, and Rousseau can respond to these critiques successfully, although differently.

The first part of Hume's critique is that the social contract theory is ahistorical, and that theory overlooks the way most governments have been formed. Looking at the earlier periods of history, Hume rightly claims that chiefs in pre-written language societies used a kind of coercion to obtain rule. This coercion was mostly physical but could have begun through verbal persuasion. This initial persuasion would then be sustained by the force and threat of punishment of disobedient subjects. Regardless if there was an initial persuasion or if it was a complete coercion through violence from the start, history shows that consent is preceded by might and imposition of will. Consent is the basis of social contract theory because consent was made to be the only legitimate grounds from which a government could be formed. The nature of consent is what is of much disagreement amongst theorists, and those theories of consent will shape responses to Hume. The example of a chief from history negates the notion of any explicit

contract between consenting subjects at both inception and maintenance. Instead of there being a written contract we see another phenomenon that does not look like a contract. In every situation that the chief establishes authority, there is an imposition by the ruler beforehand that uses persuasion and force to produce consent. The lack of written language makes the notion of any kind of contract or constitution unlikely. This kind of formal agreement just did not happen. Hume said “The face of the earth is continually changing, by the increase of small kingdoms into great empires, by the dissolution of great empires into smaller kingdoms, by the planting of colonies, by the migration of tribes.” By this he meant to describe that it was force and not consent that set up governments.

Moving forward in history continues to reveal a lack of pure consent. Many countries set up governments post war that seem like having arisen from consent but are what Hume calls “voluntary acquiescence”. Hume would say that it is not much different from the example of the chief and his subjects in pre-writing societies. All that has happened now is that there is a more advanced technology to produce force. And if there is a contract that is written, it happens as a consequence of the force that rulers use before coming to power. Hume is pushing on the idea that this kind of force is not consent. Hume is also looking for a historical link to legitimize the social contract theory. Another issue that arises is the time of the theory’s circulation. What it comes down to is something like this. Even if the social contract theory played out in history to some degree, the question arises of whether it is the social contract theory unless both parties are aware that it is. Social contract theory necessitates that both parties be aware it is in a social contract. However, if social contract theory did not exist in any of these previous times, does that delegitimize every government in history? This is huge because Hume finds it implausible that the only legitimate government is the one that has never been actualized in history. For example,

if one were to ask subjects why they obey their government, there are people who might claim it is because of divine appointment by God. The social contract theorists might argue that it is not the case rather it is through consent. However, if the people insist it is not, how can any of the theorists argue that the social contract theory is really the reason why the government is legitimate? This is important because Hume believes that if social contract theory was not making subjects and authorities of previously legitimate governments aware of a contract, it is not the only way for governments to be legitimized. As obvious as this sounds, Hume believes that in history, and possibly even in the future after his time, social contract theory just becomes nothing more than a name for a phenomenon that can just as easily be attributed to another theory. Or worse, it is completely wrong. If he is correct, he has nullified the social contract theory's power in many ways because it does not do what it claims; legitimize government. Any people who disagree with the grounds of legitimacy from the social contract theory can subscribe to another legitimizing theory.

If Thomas Hobbes would have had the chance to respond, I believe that this is what he might respond to the critique. Upon responding, Hobbes would clarify that he was not searching for an historical event to evidence the social contract's truthfulness. Part of the reason for Hobbes' theory not being historical is because of the movement in which Hobbes' political philosophy surged out from. Before Hobbes wrote on social contract theory, the theory used to legitimize government was a patriarchal theory of rule. This patriarchal theory concerning the legitimacy of government was based on the story of Adam from the Bible. Whether people believed it or not was not the point of Hobbes' work. His work was based on the fact that this story does not account for some of the more practical reasons why governments are set up. In other words, he believed that in theory war or eminent conflict will exist between people if

political activity is not taken up. The story of Adam does not account for what he believes to be realistic of humans in contact if there is no ruler. So, Hobbes' work moves towards giving an account for two things. His theory would be another myth-like story that could fully explain not just where legitimate authority comes from, but why it must exist in the first place. In the working out of this authority Hobbes', unlike other theorists such as Locke or Rousseau, would have no problem with coercion being in the equation of social contract. He believed that reasoning to get to consent would always include these factors of fear and being killable. Fear of others, such as is the case of a chieftain, was necessary to actualize the contract and ensure peaceful living between everyone. All of this goes without saying that Hobbes' would then argue that not just any theory of legitimizing government would suffice as Hume's problem presents. Hobbes would argue that his theory is the better of them all only because it explains the two issues at hand- the government's legitimacy and necessity- and because it does so while accounting for human nature in a way supported by natural science. The idea that the universe is constituted purely by matter in motion is what drove Hobbes' theory of the social contract. His concept of humans was that they were a particular kind of matter in motion that was distinct from others. This is because they can move outside of their social settings and adapt. An example of this is that beavers will continue to act in the same manner all over the globe. On different continents they will move to the same places beavers always go and continue to do beaver like things. And if one were to move them out of this habitat and stop their entering back in, they would continue to try and do what they are wired to do. This is different for humans because they have autonomy over their bodies and can will to do. This means that humans can do different things depending on their will. On a common day we see some playing music, some going for a run and others staying indoors to read. This backs up that notion that people can act as they wish

in a general sense. People as matter in motion then move to what they believe to be good. Hobbes believes then that before there is political activity, all people move towards their good. What this does however is lead to eminent conflict and war which he calls the State of Nature. which commonwealths arise from. Hobbes does not have to show that the contract happens in a legitimate sense, what he must show and can show is that human nature does lead to conflict. And without political activity this conflict very much can get to the level of war. In that case Hume helps him out by setting up chiefs and princes who conquer and exert their power. Hume must concede that Hobbes' has a good understanding of human nature and thus conflict is the result of a society with no government. From these situations of conflict arises the dilemma for subjects' pre-consent because they have no protection and live in the State of Nature as written by Hobbes. From here the subjects' consent to be obedient to the ruler and ensure peace. In conclusion Hobbes would respond by saying that the social contract does not need to be a historical event but a lens by which to understand the need for rule and the way it is legitimized, presupposed by scientific understandings of human beings and their nature.

When it comes to Locke and Rousseau, I believe the responses are more in the same direction. Unlike Hobbes, Locke and Rousseau had more objections to force being used to create legitimate governments. Unless either wanted to respond by abandoning their positions here is how each would respond to Hume by dismantling force as a legitimator of authority. Locke believed that all people had ownership of their bodies. This self-ownership is the first kind of property each person has a right to. Because of this, no one can assume authority over a body that is under the ownership of oneself. In response to Hume and his history of force, Locke argues that there are two distinct ways by which someone can enter subjugation. The first is one that Locke does not believe is wrong called drudgery and the other is slavery. This has

implications for how an authority is actually legitimized. Hume did not make this distinction because to him they both fall under a kind of force. Drudgery is the kind of contractual slavery by which one enters to pay a debt or on an agreement where the terms of drudgery are met. On the other hand, slavery was an entirely coercive event where one is taken against their will especially by physical force and threat. Hume would say both are the same and hence legitimate, but Locke sees this distinction: one assumes the power of life and death while the other does not. Locke's reasoning is based on the fact that humans are not driven to take their own lives, but rather preserve their lives. In this sense, the power of life and death is not even a right and power that an individual commonly exercises. If it is not a right that individual exercises, then any rule based or sustained on that right is an illegal rule. Simply put, one cannot sustain rule on a right that they do not have which in this case is the power over life and death of another. Only through social contract is there a legitimate rule over a subject that does not violate the bodily possession of the subjects. Social contract is a giving up of rights that is not what occurs in full on conquest and slavery where the power of the sword sustains the rule. Rousseau in the same breath did not believe force to be grounds of legitimacy. However, unlike Locke, he was more aggressive in his refutation. Neither of the previous examples of drudgery or slavery work in the framework Rousseau presents. He believed all domination was unlawful and that at it best it can only form aggregation. In contrast with that, social contract theory or conventions create association. What he means to say is that in some ways force can create a society that has the outer looks of a legitimate relationship between ruler and subject, however it's innerworkings are not true. Rousseau takes this point historically in that all kinds of rule that are based on domination die with the ruler. This is true both of drudgery and slavery where the ruler's death means freedom for the subject. What this means is that the forms of legitimate government Hume presents from

force do not produce lasting peace because the government lives and dies with the ruler. It is not a system in which the people can remain, or new rulers can emerge peacefully. Rousseau would use the same history Hume used to point out that the constant conquering and death of princes was not the establishing of many legitimate authorities rather was the imposed rule of one person that did not achieve the same ends that legitimate government produce, peace. In conclusion I believe that both would argue against the legitimacy of the government's that Hume presents to counter the legitimacy of the social contract. For Locke, it is based on the nature of humans and the right to self-property, and for Rousseau it is based on the conditions needed to create true association and peace, not just a cycle of separate conquest with no continuity.