QUESTIONS

1. Suppose that your soul could survive death. But suppose that at death your soul loses all memory of its past life, and all memories of who and what you were are completely erased from your soul. Suppose, also, that all personality traits, beliefs, desires, preferences, and all other conscious qualities are erased. Will you still exist after death? Explain why or why not.
2. Review the identity theory of human nature in the last section. Suppose that identity theory is true. Can you think of some ways you could still survive the death of your body even if the identity theory is true?
3. Suppose that the computer theory of human nature discussed in the section titled "The Functionalist View of Human Nature" earlier in this chapter is true. Can you think of some ways that you could still survive the death of your body even if the computer theory is true?
4. Contrast the Buddhist approach to human nature with the rational Western religious, scientific, and existentialist views.
5. Does the view of no self have anything to offer? What?

PHILOSOPHY AT THE MOVIES

Watch *Memento* (2000), parts of which use black and white to show a telephone conversation in chronological order, while the other parts use color to show in reverse chronological order the story of Leonard. Leonard is seeking his wife's murderer despite being unable to remember anything for more than a few minutes; he must keep track of events with photos, notes, and tattoos, and must see things much like the film's reverse chronology makes us see them. Do you think Leonard has an enduring self? Why or why not?

Other movies with related themes: *Total Recall* (1990); *The Bourne Identity* (2002); *Eternal Sunshine of the Spotless Mind* (2004); *50 First Dates* (2004).

2.5 Are We Independent and Self-Sufficient Individuals?

Isn't it obvious that parents should help their children achieve independence and self-sufficiency? Isn't it obvious that one of the worst things parents can do is to raise their children to become and remain dependent on others all of their lives? To ensure that children become independent individuals, parents teach them to value and cultivate self-reliance. Parents also try to teach their children how to think on their own, how to make judgments on their own, how to choose and explore on their own. They try to teach children independence of thought and action.

Or consider some things parents teach children to avoid. One is conformity. Most parents don't feel that it is good to teach a child to want to conform. They advise children not to follow their friends or peer groups blindly. They teach children that it is not good to always submit to the expectations of others. Parents advise children, instead, to think for themselves, to learn to judge and evaluate for themselves whether what others tell them is true.

Parents also teach their children to try to be true to themselves. Parents teach their children the importance of being in touch with their real individual nature

and inner feelings and needs. They should not try to change themselves to please others.

Finally, think about some things we value that support these parental ideas. Take privacy, for example. Don't we feel that we should allow people to live their own lives? Don't we feel that something is wrong when society forces its values on private individuals? Or consider how we value creativity in people, or how we enjoy novelty, excitement, and challenge in life. Consider how much we prize freedom, being able to "do your own thing." How we praise individual achievement and ambition. How we cherish individual freedom. How we believe that choosing a path that is her own is all-important for a person, rather than choosing one that others impose on her.

The Atomistic Self

QUICK REVIEW
Many hold the view that the self is and should be independent of others and self-sufficient.

All these views about how we should raise children, and assumptions about what we should value, are part of a pattern. They are based on a certain view of the self: the view that the self is and should be independent of others and self-sufficient. This view has deep roots in our culture and in our ways of thinking and feeling. It is a view that some philosophers call the *atomistic view of the self.* On this view, the self is, like the atom, self-contained and independent of other atoms. The self is an autonomous individual with its own unique inner qualities. The things I go through, the people I meet, and the things I witness can touch me and move me. They can injure and hurt me. Yet the real me, the core of my self, can always rise above these and remain independent and different from all that it meets. The great American poet Walt Whitman perhaps expressed this idea best in his well-known poem "Song of Myself":

I celebrate myself, and sing myself. . . .
Trippers and askers surround me,
People I meet, the effect upon me of my early life or the ward and city I live in,
or the nation,
The latest dates, discoveries, inventions, societies, authors old and new,
My dinner, dress, associates, looks, compliments, dues,
The real or fancied indifference of some man or woman I love,
The sickness of one of my folks or of myself, or ill-doing or loss or lack of money,
or depressions or exaltations,
Battles, the horrors of fratricidal war, the fever of doubtful news, the fitful events;
These come to me days and nights and go from me again,
But they are not the Me myself.

Apart from the pulling and hauling stands what I am,
Stands amused, complacent, compassionating idle, unitary,
Looks down, is erect, or bends an arm on an impalpable certain rest,
Looking with side-curved head curious what will come next,
Both in and out of the game and watching and wondering at it.[53]

To see how powerful this atomistic view of the self is, think for a moment about your "real self." How do you get at the "real" you? Not the "you" that tries to live up to the expectations of others, not the face that the world sees, but the real and

53 Walt Whitman, "Song of Myself," in *The American Tradition in Literature,* 3rd ed., vol. 2, ed. S. Bradley, L. C. Beatty, and E. H. Long (New York: Grosset and Dunlap, 1967), 37, 39.

genuine "you." Don't you find this real you by withdrawing into yourself and contemplating the you that lies within?

This is what many philosophers have also thought. Consider the example of Descartes. He tells us that one day he resolved to understand himself better, so he withdrew from the company of others to discover within himself the truth about himself:

> After I had employed several years studying the book of the world and trying to acquire some experience, I one day formed the resolution of also making myself an object of study. . . . Winter detained me in a place where I found no society to divert me and no cares or passions to trouble me. I remained there the whole day shut up alone in a stove-heated room, where I had complete leisure to occupy myself with my own thoughts.[54]

Alone, apart from others, Descartes could search for his inner real self and could decide for himself what is true and what is false:

> I shall now close my eyes, I shall stop my ears, I shall call away all my senses, I shall efface even from my thoughts all the images of corporeal things, or at least (for that is hardly possible) I shall esteem them as vain and false; and thus holding converse only with myself and considering my own nature, I shall try little by little to reach a better knowledge of and a more familiar acquaintanceship with myself. I am a thing that thinks, that is to say, that doubts, affirms, denies, that knows a few things, that is ignorant of many, that loves, that hates, that wills, that desires, that also imagines and perceives. . . .
>
> In order to try to extend my knowledge further, I shall now look around more carefully and see whether I cannot still discover in myself some other things which I have not hitherto perceived. I am certain that I am a thing which thinks; but do I not then likewise know what is requisite to render me certain of a truth? Certainly in this first knowledge there is nothing that assures me of its truth, excepting the clear and distinct perception of that which I state. . . . And accordingly it seems to me that already I can establish as a general rule that all things which perceive very clearly and very distinctly are true.[55]

QUICK REVIEW
Descartes said the self exists and can be known independently of others and that only the self can judge the truth about what it is.

Notice what Descartes is saying. First, he says that the real me exists within myself. Second, he claims that this real me and its qualities—my desires, fears, hopes, loves, hatreds—exist there inside me independently of others. Third, he claims that I, by myself, can discover this real me by withdrawing or separating from others. Fourth, he claims that only I can be the judge of what the truth about myself is.

In short, Descartes gives us a picture of the independent and self-sufficient individual. I do not need others to be who I really am. Of course, I may need others to help me live. For example, I depend on others for food, housing, and the many other material things I need. Still, I do not need others to have the qualities that make me who I am: My desires, fears, hopes, loves, and hatreds are all there inside me, whether or not anyone is around to see them. These do not depend on others but come from within me: They are me. My real self is there, and it is independent of others. Moreover, a key aspect of the real me is my ability to decide for myself—that is, the ability to judge the truth of things for myself without relying on others.

Some philosophers have gone even further than Descartes in emphasizing the importance of this ability to judge things for oneself. For example, the German

54 Descartes, *Discourse on Method*, 87.
55 Descartes, *Meditations*, 157–158.

philosopher Immanuel Kant argued that the core of the real self is the ability to choose for oneself the moral laws and moral principles by which one will live one's life:

> The laws to which man is subject are only those that he himself makes. . . . [This is] the principle of autonomy of the will, that is, the principle of self-imposed law. . . . The will's autonomy consists in its capacity to be its own law, without being influenced by the objects it chooses. . . . The will is a causal power that living beings have if they are rational. We say such a causal power has freedom if its acts are not determined by causal influences other than itself.[56]

QUICK REVIEW
Kant argued that the core of the real self is the ability to choose for oneself.

Notice here how Kant claims that the real me is a being who can choose or will for himself. The real me can choose without having to conform to what external forces impose on him.

We see in Descartes and in Kant some sources of a view of the individual self that is very familiar to us: the view that who I am exists here inside me, independent of others and able to freely choose independently of others. As suggested earlier, we value this view of self. We try to raise our children to become independent individuals who will be true to their inner self, who will not merely conform to what external society demands, and who will exercise independent and free choice.

The Relational Self

Still, now let us ask ourselves this: Is there such a thing as the independent and self-sufficient individual we have been discussing? Is it possible for children, or adults, to be independent and self-sufficient? The twentieth-century Canadian philosopher Charles Taylor does not believe so:

> In the twentieth century, we may no longer believe, like Descartes, in the soul or mind as an inner space open to transparent introspection . . . but we retain the idea that self-understanding is getting a clear view of the desires, aversions, fears, hopes, aspirations that are within us. To know oneself is to get clear on what is within.
>
> This seems so normal and inescapable to us, that we can hardly imagine an alternative. But let us try. If I can only understand myself as part of a larger order; indeed, if man as the rational animal is just the one who is rationally aware of this order; then I only am really aware of myself, and understand myself, when I see myself against this background, fitting into this whole. I must acknowledge my belonging before I can understand myself. Engaged in an attempt to cut myself off, to consider myself quite on my own, autonomously, I should be in confusion, self-delusion, in the dark.[57]

QUICK REVIEW
Taylor objects that we depend on others for our very self because we need others to define for us who our real self is.

Taylor suggests that there is another way of understanding who the real me is besides that of getting in touch with what is within me apart from others. This other way is to see that who I am depends on my relationships to others.

We saw earlier that we depend on others for the material things we need to survive. Still, this is not what Taylor has in mind. Taylor suggests that we also depend on others for our very self: I need others to define for me who the real me is. Philosophers sometimes express this by saying that the self is relational because it is "constituted" by its relations to others.

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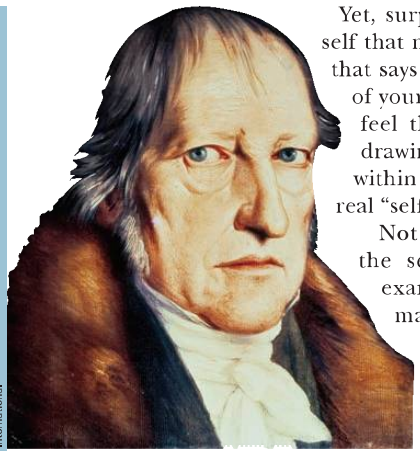
56 Immanuel Kant, *Foundations of the Metaphysics of Reason*, quoted in M. Velasquez and C. Rostankowski, *Ethics: Theory and Practice* (Englewood Cliffs, NJ: Prentice Hall, 1985), 90–91.

57 Charles Taylor, "Legitimation Crisis?" in Charles Taylor, *Philosophy and the Human Sciences*, vol. 2 (New York: Cambridge University Press, 1985), 257.

Georg W. F. Hegel: "Each self is in a struggle to convince the other that he is a free being worthy of the other's respect and recognition. This struggle is the basis of the rise of masters and slaves. The slave gives up his attempt to be recognized as free. The master sees in the slave the very sign of his freedom."



Portrait of Georg Wilhelm Friedrich Hegel (1770–1831), 1825, Jacob Schlesinger (1732–1805)/Nationalgalerie, Berlin, Germany/© The Bridgeman Art Library International

Yet, surprisingly, the traditional view of the self that most of us share is the atomistic view that says you are who you are independently of your relationships with other people. We feel that you can know yourself by withdrawing from others and looking deep within yourself to find the real you or your real "self."

Not all views of the self assume that the self is independent of others. For example, Aristotle declared that humans are "social animals" who are not self-sufficient:

> The individual, when isolated, is not self-sufficing; and therefore he is like a part in relation to the whole. But he who is unable to live in society, or who has no need because he is sufficient for himself, must be either a beast or a god. . . . social instinct is implanted in all men by nature.[58]

QUICK REVIEW
Aristotle argued that I depend on others not just to exist but to be the human that I am.

Aristotle is not just saying that we need others to survive. He is arguing that what a human being is, the person I am and the qualities I have, arise from my relationships with others. Without these relationships, which make me the human that I am, I would be an animal, or a god. The self is a relational self.

But it was the philosopher Hegel who most forcefully challenged the idea of the independent, self-sufficient individual and argued instead for the idea of a relational self. Hegel argued that my own identity—who I really am—depends on my relationships with others and that I cannot be who I am apart from my relationships with others:

> Every self wants to be united with and recognized by another self [as a free being]. Yet at the same time, each self remains an independent individual and so an alien object to the other. The life of the self thus becomes a struggle for recognition. . . . Each self is in a struggle to convince the other that he is [a free being] worthy of the other's respect and recognition. This mutual struggle for recognition by the other is mixed with feelings of mistrust and uncertainty. The struggle carries with it all the dangers and risks that the self faces when it dares to lay itself open to the other. This life-and-death struggle can degenerate into a bloody fight in which one of the combatants is killed. But then the whole issue of recognition will be missed. Recognition requires the survival of the other as a condition and sign of one's freedom.
>
> The struggle of the self is essentially a struggle for freedom. Historically, this struggle is the basis of the rise of masters and slaves. . . . Preferring survival to freedom, the slave gives up his attempt to be recognized as free. The master, on the other hand, is recognized as free. The master sees in the slave the very sign of his freedom.
>
> Independent masters and dependent slaves together form a community. To preserve and protect the life of his workers becomes the concern of the master. . . . The slave learns to work. He acquires habits and skills. At the same time he disciplines himself. In making objects [for the master] he also makes

58 Aristotle, *Politics*, bk. 1, ch. 2. This translation by Manuel Velasquez.

himself. In working together with others he overcomes his isolation and is recognized for his excellence. In this process, the relation of dependence and independence is reversed. The independent master becomes dependent on the skills and virtues of the servant.[59]

Hegel claims that each of us can know we have certain human qualities only when others recognize those qualities in us. In particular, each of us can know that we are free and independent persons only if we see that others recognize us as free and independent persons. A free and independent person is one who is not a slave to his desires or to some external force. A free and independent person is one who is able to choose for himself what course his life will take. So Hegel is saying that we will not develop the capacity to choose for ourselves unless others develop this capacity in us by recognizing and affirming our freedom and self-mastery.

QUICK REVIEW
Hegel denied the independent self, arguing that who one is depends on one's relationships with others and that we can know we are free and independent only if others recognize us as such.

Power and Hegel's View

Moreover, Hegel claims that each of us is continually involved in a struggle to get the recognition from others that we need to exist as truly independent, free persons. We realize that to be free and competent, we need others to acknowledge that we are worthy of being respected as free and competent persons. So, we try to force others to respect us, even as they struggle to force us to respect them. In this struggle—a life-and-death struggle—some people emerge as dominant and others as submissive. The dominant ones are those who get the respect they demand, whereas the submissive ones are those who give up the struggle for respect and settle for merely being allowed to live. Thus are formed the two great social classes: masters and slaves—those who command and those who obey. Yet though the slave appears to have lost the battle to the master, eventually the tables are slowly turned. For as the slave serves the master, the master recognizes the capability of the slave. The slave then becomes more confident of himself. He sees himself as a capable competent supporter of the master. Meanwhile, the master gradually becomes dependent on the slave, and both recognize the master as incapable and incompetent.

QUICK REVIEW
Everyone struggles to get from others the recognition each needs to be independent and free. Some emerge as slaves, others as masters, yet the master becomes dependent on the slave, and the slave comes to see himself as more competent than the master.

The key idea, then, is that who you are ultimately depends on your relationships to others. The slave who identifies himself as a slave is such because he defines himself through his relationship to the master. The master who sees himself as free and independent is such only to the extent that others will recognize him as this.

QUICK REVIEW
Thus, the slave is slave because that is what others see him as being, and the master is master because others recognize him as such.

The implications of Hegel's idea are profound. In every society there are powerless and powerful people, strong and weak, dominant and submissive. Hegel is suggesting that these classifications are not there ahead of time. Instead, we create them by the qualities we are willing to recognize in others. The same is true of social classes. Some groups in society—perhaps some minority groups, for example—may exhibit submissive characteristics. Yet, to a large extent, we make them submissive by our failure to accord them the respect and recognition that alone can empower them to be assertive and independent. Charles Taylor is a leading authority on Hegel. He explains the importance of recognition:

QUICK REVIEW
Hegel implies that the powerful and powerless classes in society are created by the qualities we are willing to recognize in them.

> The thesis is that our identity is partly shaped by recognition or its absence, [or] by the misrecognition of others, and so a person or a group of people can suffer real damage, real distortion, if the people or society around them mirror back to them a confining or demeaning or contemptible picture of themselves. . . .

59 Wilhelm Hegel, *Encyclopedia of Philosophy*, trans. Gustav E. Mueller (New York: Philosophical Library, 1959), 215–217.

> Thus some feminists have argued that women in patriarchal societies have been induced to adopt a depreciatory image of themselves. They have internalized a picture of their own inferiority. . . . An analogous point has been made in relation to blacks: that white society has for generations projected a demeaning image of them, which some of them have been unable to resist adopting. Their own self-depreciation, on this view, becomes one of the most potent instruments of their own oppression.
>
> . . . Recently, a similar point has been made in relation to indigenous and colonized people in general. It is held that since 1492 Europeans have projected an image of such people as somehow inferior, "uncivilized," and through the force of conquest have often been able to impose this image on the conquered.[60]

QUICK REVIEW
Hegel also argues that a person gets through his culture the recognition that makes him free or enslaved.

Culture and Self-Identity

There is another important implication of Hegel's view. Consider that every person has a culture. A culture consists of the traditions and language; the arts, ideas, and outlooks; the practices and beliefs of a group of people. Hegel argues that a person's culture is the mirror through which society shows the person who and what she is. It is, in fact, through her culture that a person gets the recognition that makes her a free person. Recognition comes through culture.

What this means is that who I am, the qualities that define me, depends on my culture and on my relationships to the important people in my life. There is, then, no "real me" that I can find inside apart from others. Instead, I am who others tell me I am in the language that culture gives us. Again, Taylor expresses the idea best:

> In order to understand the close connection between identity and recognition, we have to take into account a crucial feature of the human condition. . . . This crucial feature of human life is its fundamentally dialogical character. We become full human agents, capable of understanding ourselves, and hence of defining our identity, through our acquisition of rich human languages of expression. For my purposes here, I want to take language in a broad sense, covering not only the words we speak, but also other modes of expression whereby we define ourselves, including the "languages" of art, of gesture, of love, and the like. But we learn these modes of expression through exchanges with others. People do not acquire the languages needed for self-definition on their own. Rather, we are introduced to them through interaction with others who matter to us. . . .
>
> Moreover, this is not just a fact about genesis, which can be ignored later on. We don't just learn the languages in dialogue and then go on to use them for our own purposes.
>
> . . . We define our identity always in dialogue with, sometimes in struggle against, the things our significant others want to see in us. Even after we outgrow some of these others—our parents, for instance—and they disappear from our lives, the conversation with them continues within us as long as we live. Thus, the contribution of significant others, even when it is provided at the beginning of our lives, continues indefinitely.[61]

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60 Charles Taylor, "The Politics of Recognition," in *Multiculturalism and the Politics of Recognition*, ed. Amy Gutman (Princeton, NJ: Princeton University Press, 1992), 25.

61 Ibid., 32–33.

To understand what Taylor means, consider how you think of who you are, your self-identity. Don't you identify who you are by your relationships to others, particularly to the groups to which you belong? You identify yourself as the son or daughter of your parents. Your name identifies you in terms of the family to which you belong. You identify yourself as an American, a Canadian, a German, or a Mexican. You are a member of a racial or ethnic group: white or black, Indian or Asian. Consider the wants that make you who you are. The culture you were raised in determines the foods, the clothes, and the music you prefer. In short, all your wants are defined in terms of what your culture teaches you to want. From your culture you also draw all your ideas about the kind of person you might be. You use these ideas to understand yourself: lover, loner, kindly, coward, punk, stoner, preppy, hipster, jock, troll, beautiful, ugly, popular, unpopular, nerd, thug, jogger, drama queen, selfish, compassionate, animal, chick, rocket scientist, intellectual, creative, mother, father, son, daughter. Consider the most basic things you know: Each of them is the product of the investigations of all the humans who labored at discovering the nature of our world before you came along. Your religious ideas all come from the traditions of a church into which you have been socialized. The language you use to express your thoughts to yourself and others is a gift of your culture. Thus, we depend not only on the recognition of others to be who we are; we depend also on our culture to give us all the ideas we use to define who we are.

Search for the Real Self

Who is right, then? Is Descartes right when he claims that the real you is discovered within yourself and is independent of others? Or are Hegel and Taylor right when they claim that the real you is relational—in other words, is found only in relationship to others?

Think about it. From childhood and from every side we hear the constant refrains: "Be true to yourself and not to what others expect you to be," "Think for yourself and don't just follow the crowd," and "Take responsibility for yourself and don't blame others for what you are." Yet, if Hegel and Taylor are right, then all these ideas are radically and deeply mistaken. The real me is not there inside, independent of others and waiting to be discovered. The real me is something that is created from my relationships with others and with my culture. The people I love and care for, the people who are important to me, the people whose opinions I trust, and the ideas and beliefs of my culture all make me who I am. It is to them I must turn to find myself. I cannot be true to myself unless I am what they and my culture make me. I cannot think for myself without using the ideas that they and my culture give me. I do not have responsibility for myself because in a very real way they have made me what I am.

QUICK REVIEW
So, the self is not independent and self-sufficient, but depends on others for his or her existence as the kind of person he or she is.

Yet are Hegel and Taylor right? Perhaps not. If who and what you are depends on others, then you are not responsible for what you are. Neither are you responsible for what you do. But surely that is not right. Surely, in some way and to some extent, you are responsible for who you have become and what you do. As Sartre and others have argued, to some extent you make yourself who you are.

There is a deeper problem with the idea that who I am depends on my relationships with others. For my relationships with others are many. Are there many "me's"? For example, one "me" for each person to whom I am related? Hegel says that what I am depends on what others recognize in me. Still, suppose that different people recognize different things in me. This person recognizes me as loving, that one as mean, that other one as wise, and this one as stupid. Which is the real me?

Which of these different things go into making the real me? Are there many me's? The pragmatic philosopher William James was not afraid to accept this conclusion:

QUICK REVIEW
But if one has many relationships with others, does this mean one has many selves.

> Properly speaking, a man has as many social selves as there are individuals who recognize him . . . [but] we may practically say that he has as many social selves as there are distinct groups of persons about whose opinion he cares.[62]

Yet this seems an odd conclusion. How can I be many me's? Are we, without realizing it, multiple personalities? Do we turn a different face to each person depending on what that person sees in us? Perhaps we do. But which of these many faces would really be me?

QUICK REVIEW
And aren't many of our basic physical, mental, and personality traits independent of others.

Moreover, isn't it the case that many of the qualities you have do not depend on others? Take, for example, your basic physical qualities: your height, your weight, your hair color, your skin color, your facial features, your musculature, your health. Surely, these are a basic part of who you are and do not depend on your relationships with others. Or take your basic mental qualities, such as your I.Q. and your ability to feel pain, to hate, to love, to think. Even if *what* you feel, hate, love, or think depends on others, surely your *ability* to feel, hate, love, and think does not depend on others. Or take your basic personality traits, such as your tendency to feel cheerful or depressed, your willingness to take risks, and your disposition. We inherit many of these kinds of qualities, scientists tell us; they depend on the genes we are born with. And surely these personality traits are part of who you are.

We have, then, a dilemma. On the one hand, we seem to be only what others make us: what the significant people in our lives make us and what society through its culture makes us. On the other hand, we seem to be independent selves with basic qualities that we are born with, including perhaps the ability to choose freely the path our lives will take. Which are we? The choice between these is important. Clearly, if others make us, then we in turn make others. The way we raise our children, the money we spend on schools, the kinds of social environments we create, the respect or lack of respect we give others, the way our culture talks about different races—all these become tremendously important. For all these will ultimately make the young members of our society the kind of people they turn out to be: powerful or powerless, free or slave, capable or incapable, assertive or submissive. On the other hand, if we are independent selves with the ability to choose freely and in isolation from others, then these externals are not so important. More important is that we hold persons responsible for their choices, that people learn to look into themselves for their own inner power and resources, that people learn to rely on themselves and find in themselves who they really are.

The challenge for each of us, perhaps, is to find what comes from within and what comes from without—what comes from others and what comes from inside you. A great deal hangs on this.

QUESTIONS

1. Can you think of any qualities that you see in yourself that you do not need others to have?
2. If each self in society is what it is because other selves have made it that way, then is all responsibility ultimately group responsibility? That is, when an individual does something evil, must we say that everyone in society is responsible for the evil?

62 William James, *Psychology (Briefer Course)* (New York: Collier, 1962), 192.

What is Social Contract Theory?

The concept of social contract theory is that in the beginning man lived in the state of nature. They had no government and there was no law to regulate them. There were hardships and oppression on the sections of the society. To overcome from these hardships they entered into two agreements which are:-

1. "***Pactum Unionis***"; and
2. "***Pactum Subjectionis***".

By the first pact of unionis, people sought protection of their lives and property. As, a result of it a society was formed where people *undertook to respect each other and live in peace and harmony*. By the second pact of subjectionis, people united together and pledged to *obey an authority and surrendered the whole or part of their freedom and rights to an authority*. The authority guaranteed everyone protection of life, property and to a certain extent liberty. Thus, they must agree to establish society by collectively and reciprocally renouncing the rights they had against one another in the State of Nature and they must imbue some one person or assembly of persons with the authority and power to enforce the initial contract. In other words, to ensure their escape from the State of Nature, they must both agree to live together under common laws, and create an *enforcement mechanism* for the social contract and the laws that constitute it. Thus, *the authority or the government or the sovereign or the state came into being because of the two agreements*.

Analysis of the theory of Social Contract by **Thomas Hobbes**

- Thomas Hobbes theory of Social Contract appeared for the first time in Leviathan published in the year 1651 during the Civil War in Britain. Thomas Hobbes' legal theory is based on "***Social contract***". According to him, prior to Social Contract, man lived in the ***State of Nature***. Man's life in the State of NATURE was one of *fear and selfishness*. Man lived in chaotic condition of constant fear. Life in the State of Nature was '***solitary', 'poor', 'nasty', 'brutish', and 'short'***.
- Man has a natural desire for *security and order*. In order *to secure self-protection and self-preservation, and to avoid misery and pain*, man entered

into a contract. This idea of self-preservation and self-protection are inherent in man's nature and in order to achieve this, they ***voluntarily surrendered all their rights and freedoms*** to some authority by this contract who must command obedience. As a result of this contract, the ***mightiest authority is to protect and preserve their lives and property***. This led to the emergence of the institution of the "ruler" or "monarch", who shall be the absolute head. Subjects had no rights against the absolute authority or the sovereign and he is to be obeyed in all situations however bad or unworthy he might be. However, Hobbes placed moral obligations on the sovereign who shall be bound by natural law.

- Hence, it can be deduced that, Hobbes was the supporter of ***absolutism***. In the opinion of Hobbes, "***law is dependent upon the sanction of the sovereign and the Government without sword are but words and of no strength to secure a man at all***". He therefore, reiterated that civil law is the real law because it is commanded and enforced by the sovereign. Thus, he upheld the principle of "***Might is always Right***".

- Hobbes thus infers from his mechanistic theory of human nature that humans are necessarily and exclusively self-interested. All men pursue only what they perceive to be in their own individually considered best interests. They respond mechanistically by being drawn to that which they desire and repelled by that to which they are averse. In addition to being exclusively self-interested, Hobbes also argues that human beings are reasonable. They have in them the rational capacity to pursue their desires as efficiently and maximally as possible. From these premises of human nature, Hobbes goes on to construct a provocative and compelling argument for which they ought to be willing to submit themselves to political authority. He did this by imagining persons in a situation prior to the establishment of society, the State of Nature.

- Hobbes impels subjects to surrender all their rights and vest all liberties in the sovereign for preservation of peace, life and prosperity of the subjects. It is in this way the natural law became a moral guide or directive to the sovereign for preservation of the natural rights of the subjects. For Hobbes all law is dependent upon the sanction of the sovereign. All real law is civil law, the law commanded and

enforced by the sovereign and are brought into the world for nothing else but to limit the natural liberty of particular men, in such a manner, as they might not hurt but to assist one another and join together against a common enemy. He advocated for an established order. Hence, ***Individualism***, ***materialism***, ***utilitarianism*** and ***absolutions*** are inter-woven in the theory of Hobbes.

Analysis of the theory of Social Contract by **John Locke**

- John Locke theory of Social Contract is different than that of Hobbes. According to him, man lived in the State of Nature, but his concept of the State of Nature is different as contemplated by Hobbesian theory. Locke's view about the state of nature is not as miserable as that of Hobbes. It was ***reasonably good and enjoyable, but the property was not secure. He considered State of Nature as a "Golden Age".*** It was a state of "peace, goodwill, mutual assistance, and preservation". In that state of nature, men had all the rights which nature could give them. Locke justifies this by saying that in the State of Nature, the natural condition of mankind was a state of perfect and complete liberty to conduct one's life as one best sees fit. It was free from the interference of others. In that state of nature, all were equal and independent. This does not mean, however, that it was a state of license. It was one not free to do anything at all one pleases, or even anything that one judges to be in one's interest. The State of Nature, although a state wherein there was no civil authority or government to punish people for transgressions against laws, was not a state without morality. The State of Nature was pre-political, but it was not pre-moral. Persons are assumed to be equal to one another in such a state, and therefore equally capable of discovering and being bound by the Law of Nature. So, the State of Nature was a ***'state of liberty',*** where persons are free to pursue their own interests and plans, free from interference and, because of the Law of Nature and the restrictions that it imposes upon persons, it is relatively peaceful.

- **Property** plays an essential role in Locke's argument for civil government and the contract that establishes it. According to Locke, private property is created when a person mixes his labour with the raw materials of nature. Given the implications of the Law of Nature, there are limits as to how much property one can own: one is not

allowed to take so more from nature than oneself can use, thereby leaving others without enough for themselves, because nature is given to all of mankind for its common subsistence. One cannot take more than his own fair share. Property is the linchpin of Locke's argument for the social contract and civil government because it is the protection of their property, including their property in their own bodies, that men seek when they decide to abandon the State of Nature.

- John Locke considered property in the State of Nature as insecure because of three conditions; they are:-
    1. Absence of established law;
    2. Absence of impartial Judge; and
    3. Absence of natural power to execute natural laws.
- Thus, man in the State of Nature felt need to protect their property and for the purpose of protection of their property, men entered into the "Social Contract". Under the contract, **man did not surrender all their rights to one single individual, but they surrendered only the right to preserve / maintain order and enforce the law of nature.** The individual retained with them the other rights, i.e., right to life, liberty and estate because these rights were considered natural and inalienable rights of men.

- Having created a political society and government through their consent, men then gained three things which they lacked in the State of Nature: laws, judges to adjudicate laws, and the executive power necessary to enforce these laws. Each man therefore gives over the power to protect himself and punish transgressors of the Law of Nature to the government that he has created through the compact.

- According to Locke, **the purpose of the Government and law is to uphold and protect the natural rights of men. So long as the Government fulfils this purpose, the laws given by it are valid and binding but, when it ceases to fulfil it, then the laws would have no validity and the Government can be thrown out of power. In Locke's view, unlimited sovereignty is contrary to natural law.**
- Hence, John Locke advocated the principle of **-"*a state of liberty; not of license*"**. Locke advocated a state for the general good of people. He pleaded for a constitutionally limited government.