

The social contract and popular sovereignty

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The U.S. Constitution starts with "We the people" which embodies the idea of a social contract and popular sovereignty. Image courtesy of U.S. Air Force

The term "social contract" refers to the idea that the state, or government, exists only to serve the will of the people, who are the source of all political power. A country's people can choose to give this power or hold it back. The idea of the social contract is one of the foundations of the American political system.

The principle of popular sovereignty states that the source of governmental power lies with the people. This belief stems from the concept of the social contract and the idea that a government should work for the benefit of its citizens. If the government is not protecting the people, it should be dissolved. The theory evolved from the writings of philosophers Thomas Hobbes, John Locke and Jean-Jacques Rousseau.

Origin Of The Term "Social Contract"

The term "social contract" has been around since ancient Greece. However, English philosopher Thomas Hobbes expanded on the idea in 1651 when he wrote "Leviathan," his response to the English Civil War. In the book, he wrote that in early human history there was no government.

Instead, those who were the strongest could take control and use their power over others at any time. Hobbes famously described life in "nature" (before government) as "nasty, brutish and short."

Hobbes' theory was that the people agreed together to create a state, giving it only enough power to provide protection of their well-being. However, in Hobbes' theory, once the power was given to the state, the people then gave up any right to that power. In effect, that was the price of their protection. In Hobbes' opinion, an absolute monarchy — a government ruled by a king — was the best form of government to protect them.



Rousseau And Locke

Philosophers Jean-Jacques Rousseau and John Locke each took the social contract theory one step further. In 1762, Rousseau wrote a book called "The Social Contract, Or Principles of Political Right." He explained that the government is built on the idea of popular sovereignty. The essence of this idea is that the will of the people as a whole gives power and direction to the state.

In "The Social Contract, Or Principles of Political Right," Rousseau discusses the fact that "man is born free, but everywhere he is in chains." These chains are not natural. Rather, they come about through power and control. According to Rousseau, people must give authority to the government through a "social contract" for mutual preservation. In his book, he calls the citizens who have joined together the "sovereign." The sovereign makes the laws and the government enforces them. In the end, the people as sovereign are always looking out for the common good as opposed to the selfish needs of each individual.

John Locke also based his political writings on the idea of the social contract. He stressed the role of the individual and the idea that in the "state of nature," people are essentially free. However, they might decide to form a government to punish any individuals who go against the laws of nature and harm others.

According to Locke's theory, the power of a king or government comes from the people. They make a "social contract," giving away rights to the ruler in exchange for security and laws. In addition, individuals have natural rights including the right to hold property. The government does not have the right to take this away without their consent. If a king or ruler breaks the terms of the contract — taking away rights or taking away property without an individual's consent — it is the right of the people to offer resistance and, if necessary, remove the ruler from power.

Impact On The Founding Fathers

The idea of the social contract had a huge influence on America's Founding Fathers, especially Thomas Jefferson and James Madison. The U.S. Constitution itself starts with the three words "We the people," placing the idea of popular sovereignty at the very beginning of this key document. From this principle, it follows that a government established by the free choice of its people is required to serve the people. In the end, the people have sovereignty, or supreme power, to keep or get rid of that government.

In fact, popular sovereignty is one of the six foundational principles upon which the U.S. Constitution is built. The other five principles are: a limited government; separation of powers; checks and balances; judicial review; and federalism. Each of these principles gives the Constitution a basis for authority and legitimacy.

Social Contract For Everyone

As with many philosophical ideas behind the political theory, the social contract has inspired various interpretations. It has been evoked by many different groups throughout American history. During the Revolutionary War, Americans favored the social contract theory over the British concept of patriarchal government. They looked to the social contract as support for their rebellion against British rule. During the Civil War, social contract theory was used by both sides. Slaveholders used it to support states' rights and succession, while abolitionists found support for their ideas in Locke's theories of natural rights.

Popular sovereignty was often cited before the Civil War as a reason why individuals in a newly organized territory should have the right to decide whether or not slavery should be allowed. The Kansas-Nebraska Act of 1854 was based on this idea. It set the stage for a violent situation that became known as "Bleeding Kansas."

Historians have also linked social contract theories to important social movements. For example, the idea of the social contract has influenced the movements for Native American rights, civil rights and women's rights.