

# Is Every Breach of Every Agreement "Unjust"?

Post by "Todd" of October 13, 2019 at 5:50 PM

First, I will try to be objective:

Social contract theory is primarily an attempt to explain the origin, and justify the existence of the state. Basically, some people got together, and agreed to sacrifice some of their freedom in exchange for the benefits of forcing everyone in a society to cooperate. For most of this post, I will use "social contract" in this sense.

The major alternative to the social contract is the conquest theory of the state. The short version is that one group of people enslaved another group, and then started calling themselves a government to make it seem legitimate.

Now, my opinions:

The social contract theory sounds nice at first glance, but is historically naive. I think of it as the Theory of the Immaculate Conception of the State.

The notion of a social contract relies on the idea that a relatively small group of people can make a contract that binds not only everyone else in society, but everyone who will ever live in the future.

I would argue that the usual meaning of "social contract" is probably incompatible with Epicurus' teachings on Justice.

Some relevant points regarding *actual* contracts...

- A contract requires the freely given consent of both parties
- Both parties expect to benefit from a contract; otherwise, why enter into it?
- A contract you couldn't withdraw from would be tantamount to selling yourself into slavery. No prudent person would agree to such a contract.
- Prudent contracts contain provisions for either party to withdraw from the agreement, and specify what is "just" in those situations.
- Contracts that have no such provisions are terminated by mutual agreement when possible. The parties agree to what they consider "just" at that time.
- If mutual agreement is not possible, a wise person looks to a neutral third-party (a court, or an arbitrator) to determine "justice".
- Violence is an option too, but violence is risky, and is likely to result in costs (pain) that far outweigh any potential benefits.

Those points aren't really derived from Epicurean principles, but I don't think they're incompatible with them either. Most of them seem un-objectionable to me. I think they apply to the notion of a social contract too - you may draw your own conclusions as to my political views.

One final note: I don't think we're talking about it in this way here...but if by withdrawing from a social contract, you just mean being a jerk to the people you have to deal with in life...well, I wouldn't recommend it as a way of living pleasantly.