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Political Philosophy

On the Founding of Real Existing States

Social contract theory, which arose approximate to the Enlightenment movement of thought in Europe possesses many significant proponents, as well as critics. The basic premise of these concepts is that human society in its form of existing under government, arose out of the given consent of individuals who came together in this venture to benefit themselves. One such critic of the theories comes in the form of David Hume, who in his piece entitled, “On the Social Contract”, issues a striking claim to counter such theories. He states simply “that human affairs will never admit this consent.” (Hume, 1784) In writing as much, Hume is directly aiming his attacks against figures such as John Locke according to his famous work, “Two Treaties on Civil Governance, and the piece, “Leviathan” by Thomas Hobbes falls into this categorization as well. Another theorist of the origin of government from a more recent age, Robert Nozick, similarly supposes a principle of how government came into being in his book, “Anarchy, State, and Utopia”, as being guided by an invisible hand. The question before us today is two-fold; to what extent is Hume’s criticism of both Locke and Hobbes pertinent to their theories, as well as whether Nozick’s conception is struck down by it.

Locke’s conception of the origin of government as coming from the consent of the soon-to-be governed, historically carries significant weight, particularly as it was picked up by thinkers such as Immanuel Kant to theorize beyond human nature and into the future of world

history. It is worth considering, however, the factor of how realistically it compares to the annals of history themselves and what they inform us of the origin of states throughout them. To best understand the question, one must first turn to Locke's own words, "that as far as we have any light from history, we have reason to conclude, that all peaceful beginnings of government have been laid in the consent of the people." (Locke, 1689) Here we see an explicit distinction that, he is speaking specifically of peaceful origins of governance, a factor Hume essentially overlooks in his repeated tales of violent conquests of power. Furthermore, in Locke's support, and an aspect Hume does concede to, is the basic fact that all humans individually are in possession of more-or-less comparable amounts of physical power, to the effect that no individual could, by force alone, enthrall a multitude into their service. One would be justified to ask, however, with what respect these theoretical qualifiers and assumptions bear onto the real story of human history. In the first case, it appears a massive qualifier to ignore the presence of the overwhelming number of cases where power is not won through peaceful means. It can be posited, what good is a theory of human nature if it only applies in outlier instances? Secondly, it feels worth noting that, although physical power may be similar, other features such as possession of skills, personality, and intelligence, turns the realm of human equality in nature into a leaderboard of beneficial traits, with which the winners carry home the allegiance of others, not necessarily always out of their own free will. I personally resonate with the criticism of the relevancy to human nature of states of being that constitute a needle in the haystack of happenings across time. History does not tell of peaceful transfers of power, and I am inclined to question when it does, if simply the victors have won the messaging war throughout the ages for such to be thought. Because of this doubt, I do agree with Hume's criticism of Locke's theory of government's origin.

Thomas Hobbes theory of social contract is the first of its kind to arrive on the scene and therefore does not find itself personally referenced in the work by Hume, a contemporary of Locke. Despite this, the role which it plays within its overarching concepts of human nature is worth drawing into question, because of the weight which it plays. Within his text, “Leviathan”, we are given insight into the way consent of individuals is considered of the formation of government. Here, Hobbes outlines that “But as men, for the attaining of peace and conservation of themselves thereby, have made an artificial man, which we call a Commonwealth; so also have they made artificial chains, called civil laws, which they themselves, by mutual covenants.” (Hobbes, 1651) A difference worth noting in his thought from Locke’s, remains that this impulse for outside control finds itself driven by personal motivation for security, not a sense of respect for one’s fellow humanity. To this effect, the argument for Hobbes’ view goes as follows: because humans are inherently competitive and covetous of each other’s resources, general restrictions must be placed to ensure peaceful cohabitation in any large scale. These artificial chains of laws may infringe on the totality of what one can do, yet in general provide a key component of security from offense. An argument against this point of view could arise from those who do not believe this consent to be given voluntarily, as surely not all members of humanity could be so wired as to fear all sorts of attacks constantly from their fellow humans. It is possible to point toward groupings of humans on quite large scales within indigenous populations of the America’s, Africa, and Oceania, where consensus existed between peoples for cooperation, without the presence of what Hobbe’s terms a commonwealth. In my opinion, I find that generally agreeing with Hobbe’s idea may be accurate for certain societies under specific sets of material conditions, which evoke competitive realities through scarcity of resources. Specifically, when dealing with structures such as the governments around the Nile, Indus, and

Yellow River, one finds evidence of governance being openly welcomed to ensure proper maintenance of these key water sources. For these reasons, I do not find Hume's criticism to be as applicable to Hobbes's ideas of human nature and the origin of the state.

Robert Nozick finds himself many centuries past the time of the basic contention found between Hume and the social contract theorists, yet to pave the road for his own idealization of the creation of government, he may perhaps find that he has not outstripped the historical criticisms by Hume's. A basic premise within his text, "Anarchy, State, and Utopia" goes as follows, "a necessary condition for the existence of a state is that it (some person or organization) announce that...it will punish everyone whom it discovers to have used force without its express permission." (Nozick, 2013) In this instance, it feels relevant to question the accuracy of this announcement or proclamation as a historical fact, or simply a reasonable conclusion to best augment Nozick's conception. To him, a state arises, without greater planning or oversight, guided by an "invisible hand" as the natural outgrowth of a "dominant protective agency", which reaches this status of statehood only after the issuing of this message. In support of Nozick's idea, it seems rather believable that formal declarations and documents made known to the public would suffice for the general procedure of a group's role as state government. One might look to the Constitution of the United States as an example of such a moment, in the sense that all were made aware of the new status quo of being citizens, or not, of this new nation in North America free from the British Empire. Within this example, one can point to the failed Articles of Confederation, which nearly brought down the former colony due to the lack of organized forces that then existed in its name. However, the general applicableness of this rule may be brought into question. There exist many states in today's world for example, such as Yemen, Lebanon, or Pakistan where governments of the officially recognized capacity, do not in reality

execute sole control over force within their administrative borders. Whether or not all these states would classify as “failed” in nature is another question, but the prior remains of whether we can count them as states at all. It is on account of this distinction which I find Hume’s criticism to bear relevancy regarding Nozick’s “invisible hand”, as it cannot possibly be said that these rules apply in all cases, throughout history, everywhere.

Hume’s criticism of the reality of the claims made by social contract theorists, as well as their application to Nozick’s conception sheds great light into the topic of comparing theory to practice in a general sense. To me, beliefs such as those of Locke and Nozick hold an idealist framework as far as how they judge the motivations of humans, as well as the story of history of states. This aspect plays the biggest role in why I do not agree with their conclusions, with reference to actual times. Hobbes, on the other hand, takes up a much more realist, arguable materialist perspective on why events occur such as the creation of states. In my opinion, his view stakes itself most prominently in what is recorded as well as what can be observed. Overall, I am personally inclined to align myself more with those theories of a realistic outlook, which inspect reality first, then attempt to draw conclusions. This finds itself diametrically opposite to appeals to general reason, logic, or divine intervention. As time has passed, I also would hold that human society has moved in a general direction from clinging to these idealistic notions, with the help of natural sciences, toward answers to basic questions of life and the world which are grounded in evidence and observability. With this in mind, I believe Hume’s crucial outlook on social contract theories plays a significant role in the history of intellectual thought and opens space for subsequent theories such root themselves, more in line with Hobbes, in material condition and real existing humanity, which form states of a similar nature.

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