

Morality of Contractarianism: A Dialectic

Ray: Hi John! How are classes going?

John: As good as they can; you know how it goes. Got a report due next week in economics, so I'm here doing some research. What brings you here?

Ray: I got a report on English Literature coming up; I needed to borrow some books on Shakespeare.

John: I don't know why they insist we have to use the library for some of our references. There is nothing here we can't find on the internet, except for the books the teachers wrote. They just want to make even more money off us.

Ray: Perhaps, but I think there is value in having a real book as opposed to staring at a screen. Search engines can be gamed to ensure certain sources are selected over others, and it's a lot easier to alter electronic text than printed text.

John: Oh, are you one of those religious conspiracy theorist freaks? You know I'm kidding, right?

Ray: <chuckle> Well, if being skeptical of man's ability to treat his fellow man humanely makes me a "religious conspiracy theorist freak," then I guess I am. Speaking of which, you come up with any more ideas concerning how Christian morals can be codified in a secular framework?

John: Glad you asked. We just learned about contractarianism this week. Morality is whatever a group of people wants it to be! All they have to do is agree on how to treat each other. As long as this agreement benefits all participants to the point of their satisfaction, the moral code is binding.

Ray: I see. What happens when someone is no longer satisfied?

John: Either he tries to negotiate a change or he leaves it. Simple.

Ray: Sounds a bit too simplistic to me to stand up to the test of reality, but I'll hear you out. Can you give me an example of this in practice?

John: Sure! Democratically elected laws all fit this type of morality. For example, we all agree that some type of control needs to be in place so cars can safely cross intersections. Therefore we all agree to stop at stop lights and stop signs.

Ray: I see. But I live on a street that has to stop at an intersection, and the traffic on the other road does not have to stop. The problem is that gaps that let me out are few and far between. I never voted on only a two-way stop, and I'm not satisfied with that situation. Am I allowed to opt out of this contract?

John: No, because although you may have not personally agreed to the placement of the stop signs, you are nonetheless benefiting from them because they are keeping you safe. The fact you benefit from the stop signs is an implied agreement to the contract. Furthermore, you are also agreeing to pay taxes to support a police department to ensure others abide by this contract.

Ray: Hmmm, so, my "agreement" does not require my consent? That's not exactly my definition of a "democratically elected law." But let's move on. What if this contract is obsolete, or I want more benefits, and no one agrees to any changes?

John: Like I said, you either still abide by this contract, or go someplace else. Seems to me it's a personal judgment call if the contract is worth your while or not.

Ray: So, if you are passionate about something, like the belief that abortion is wrong, but the nation's law allows for abortion, you have to leave the country?

John: Abortion is a choice, why would that bother you so much?

Ray: I can give very good reasons why abortion is not a "choice," but I don't want to go on that tangent here. But one reason I can give that I think *is* relevant to our main topic is my tax dollars going to fund institutions that may not perform the abortion themselves, yet promote and direct others to get them. This isn't about me getting frustrated while waiting to turn off my street, this is me being forced to be an accomplice in what I believe to be murder.

John: Well, you can leave this state.

Ray: Not that long ago, it didn't matter what state I was in.

John: So, you can leave the country.

Ray: So, which countries in the world don't allow abortions?

John: Don't know, I'm sure there are some.

Ray: I see, well let's go on. Just realize that your system is losing a lot of glamour for me. Making morality a popularity contest is terrifying. Besides, what if I am willing to leave, but unable to? It seems to me that the poor and disenfranchised are forced to accept a morality regardless of their will, and that seems to be contrary to the whole point of this type of morality.

John: I guess so, but we already agreed the other day that the whole point of a moral code is to restrict people's actions, not to ensure their wishes are always met.

Ray: True, but the selling point of your claim was that one can simply leave a contract one doesn't agree with. That sounds like an awfully empty promise right now.

John: It may be difficult, but not impossible.

Ray: Fair enough, but the way you presented it is quite misleading in my mind. And I don't like the idea that I have to always do what the majority wants to do.

John: Why not?

Ray: Did not the Nazi's convince the majority of Germans that being Jewish was illegal? We know what happened next.

John: I need to think on that one.

Ray: What about those who helped slaves escape the southern states before the Civil War? They were breaking the law of the land. Do you want to call them immoral as well as criminal?

John: Well, perhaps they were. But ultimately contractarianism won out, as enough people eventually saw slavery as wrong and the laws were changed.

Ray: Indeed it did, but I think we are oversimplifying a very complex matter in order to make this theory work.

John: Wait a minute! I forgot that contractarianism is founded on the idea that people are ends-in-themselves. By being an end-in-themselves, it is wrong to force people to do something against their will. Slavery and the Holocaust were immoral because they were treating people as means to an end.

Ray: That's a relief. Yes, that is an important consideration. But how do we define what a person is?

John: What kind of question is that? Everyone knows what a person is. It's obvious.

Ray: You took U.S. History with me last year. Remember when we covered the Civil War, and the professor said the slaves were considered sub-human? He said the same thing about the Nazi views of Jews when we got to World War II.

John: Yes, but just because they were stupid or crazy doesn't mean they acted morally. A person is a person, simple as that.

Ray: Should I bring abortion back into this discussion?

John: <sigh> Okay, okay. I get it. The difference is that the slaves and Jews were thinking, rational beings. You will have a hard time telling me that unborn children can do that in a meaningful way.

Ray: Okay, for a minute I'll go along with you on this. But by that standard, laws against animal cruelty are absurd.

John: Ouch, I didn't see that one coming. Well, if the people want to prevent animals from suffering, that is their right to do so.

Ray: Wow! You really have given up on evolutionary morality! If I understand you right, you are saying we ought to give more protection to non-humans than to the most vulnerable members of our own species. If that's not a violation of evolutionary theory, I don't know what is!

John: Ha ... ha. Very funny. NOT!

Ray: Can someone who does qualify as an end-in-themselves lose this ability?

John: No, once an end-in-themselves, always an end-in-themselves.

Ray: But you said that you had to be a thinking, rational creature to be an end-in-themselves. What happens if you are severely drunk, go to sleep, or wind up in a coma?

John: But that's a temporary situation. Even those in a coma may have the potential to recover.

Ray: Potential to be a thinking, rational being? I think we came back to abortion being a violation of contractarianism again!

John: Okay, okay. I'll grant you the abortion point. But we still have a great method of creating our own morality, and we will all have to do things we don't necessarily want to do in order to make it work. Any moral system will do the same.

Ray: Yes, any moral system will limit your freedom, but isn't the point of morality to protect you as well?

John: Yes, and contractarianism does this exceptionally well.

Ray: Don't want to insult you, but to be honest, so far I haven't seen any evidence of that from you. Anyway, what about marriage?

John: Especially marriage. It's probably the most perfect example of contractarianism in action! The whole purpose of a marriage is for two people with common interests to establish a contract to ensure both know what they are getting into. The possibility of children, finances, help with chores, lifestyles, security from diseases that come from having too many sexual partners, etc. Granted, some do a better job than others in creating this contract, and some are simply terrible at it. But poor decisions from some people does not discredit the theory itself.

Ray: Well, I can agree with the part about poor performance from individuals not discrediting the theory as a whole, but we can't seem to get past the part of this being too simple for me.

John: Okay, like what?

Ray: Let's just focus on finances and the matter of getting household chores done. I certainly agree that this needs to be talked about in advance of the marriage, and this talk probably looks like a business negotiation.

John: Okay, so what is the problem?

Ray: What happens if one can't provide the promised income, or fails to do their share of housework?

John: Well, I don't blame anyone for getting divorced if the other becomes a cheater, dead beat or slacker.

Ray: But what if it isn't that person's fault? Car accidents, strokes and heart attacks are fairly common. Just when you need your spouse the most, your spouse has no reason to stay. Actually, contractarianism seems to *encourage* abandonment at this time.

John: But that's why we say, "Til death do us part."

Ray: That is a religious thing; secular marriages have no such requirement. That's a major difference between a contract and a covenant. And I thought the whole point of these moral systems was that God

was not needed anymore.

John: Well, there is no reason why it can't be included in a secular marriage. It is a legitimate concern that can be negotiated.

Ray: I thought the beauty of contractarianism was that you were free to leave when it no longer suits you. Yet every single example we have talked about only works if we deny this possibility.

John: Okay, I admit the "get out of jail free card" was overplayed when I first talked about this, but if enough attention is made with the details, then this can work.

Ray: Didn't you tell me Monday over lunch that your parents are upset because your sister's car broke down, and the extra insurance your parents paid when they got the car didn't cover it?

John: Well yeah. I think they are wrong for false advertising.

Ray: But false advertising or not, your parents still signed the document, and that document didn't include this particular issue, correct? Regardless of what was promised, they got the service they ultimately accepted, right?

John: <sigh> Yes, you are right. I guess contractarianism benefits best those who write the contracts.

Ray: Let's not forget those who can either avoid the consequences of breaking the contract, or those who will hurt much less for breaking the contract than the other party.

John: Huh?

Ray: Well, organized crime violates the social contract on a whim. They know how to get away from the consequences of breaking the law. As for hurting much less, I remember working on a housing construction site for a summer job. One house had a small problem that needed to get fixed, but the contractor charged an exorbitant fee for changing the contract. The couple had to pay it or lose everything.

John: That's very unscrupulous of them!

Ray: I thought you said that the beauty of contractarianism is that morality is whatever you want it to be as long as everyone agrees? The contractor wanted it that way, and the couple agreed to it in the end. What is unscrupulous about it?

John: Yes, you were right in being skeptical of contractarianism. It's really just a pretty facade that hides a horrible reality. Contractarianism works best for those who abuse the good will of those who follow it.

Ray: Sorry to burst your bubble. I am glad you still trust me to talk about these things.

John: Of course bro! We've been through too much to let these things come between us.

Ray: Thanks, I'm glad to hear that. Care to join me at the Newman Center today?

John: You guys still have coffee and donuts?

Ray: Oh, you heard about them?

John: Hey! I may be an atheist, but that doesn't make me deaf. I got connections, bro.

Ray: <chuckle> Of course!

John: Okay, I'll come. But promise this isn't a ruse to get me into church!

Ray: Ha ha! Scout's honor!

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