



SOCIAL CONTRACT THEORIES AND JUSTICE AS FAIRNESS

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ABSTRACT

The present paper is an attempt to analyze the Social Contract Theory by **Thomas Hobbes, John Locke and Jean – Jacques Rousseau**. The paper discusses about, what is the social contract, origin of state, who are the key players in the social contract theory and how justice acts as an instrument of fairness. The paper pinpoints about the state of nature, the social contract and the sovereign head according to Hobbes, John and Rousseau. The paper specifies the differences and variations of opinion of these jurists on the state of nature with respect to social contract.

Many prominent scholars gave views on the social contract theory. One such scholar is **Hugo Grotius**. The views of Hugo Grotius on the concept of **'The Social Contract'** were as follows:

“To renounce freedom is to renounce one’s humanity, one’s rights as a man and equally one’s duties. There is no possible quid pro quo for one who renounces everything; indeed such renunciation is contrary to man’s very nature; for if you take away all freedom of the will, you strip a man’s actions of all moral significance. Finally, any covenant which stipulated absolute dominion for one party and absolute obedience for the other would be illogical and nugatory. Is it not evident that he who is entitled to demand everything owes nothing? And does not the single fact of there being no reciprocity, no mutual obligation, nullify the act? For what right can my slave have against me? If everything he has belongs to me, his right is my right, and it would be nonsense to speak of my having a right against myself.”¹

Kant’s view on the concept of social contract was that, “every rational being had both an innate right to freedom and a duty to enter into a civil condition governed by a social contract in order to realize and preserve that freedom.”²

¹ CORE – *Aggregating the world’s open access research papers* (no date) *Core.ac.uk*. Available at: <https://core.ac.uk/> (Accessed: October 17, 2021).

² (No date) *Stanford.edu*. Available at: <https://plato.stanford.edu/> (Accessed: October 17, 2021).

INTRODUCTION

A social contract is an ideal where a person's virtuous and governmental obligations are conditional upon an effectual agreement among them in order to structure the society in which they reside. One of the most important theories of the state is social contract theory. It elucidates the relation between the people and the government. As per this theory the concept of state, originated due to an agreement by the people, willingly to form a civil society. The theory of social contract infers 2 things:

1. Firstly, it describes the origin of state.
2. Secondly, it seeks to define the relationship between the rulers and the ruled.³

Therefore, the theory of social contract talks about both the origin and nature of state.

The theory talks of, that in primitive society the people used to live in a state of nature; where there were no rules and sovereignty to protect the life and freedom of the people. As a result, the people went through a lot of austerity and destitution. The people relinquished the state of nature and formed a contract among them, in order to get away from all those hardships and difficulties. The key players of this theory are Thomas Hobbes, John Locke and Jean – Jacques Rousseau.

The social contract theory has some important characteristics. They are:

- ✓ State is a feigned establishment marking that it is a means to an end.
- ✓ It is designed by human beings through the support of a contract.
- ✓ The contract must be formed with the assent of one and all.
- ✓ And lastly that, before the emergence of state we lived in a speculative condition, which is called as “state of nature.”

³ Anonymous (2014) *Encyclopedia Britannica*. Rarebooksclub.com.

ORIGIN OF THE STATE

The theory of social contract is one of the crucial hypotheses of the origin of the state. This theory came into view from the time of the Sophists of the Greece but the theory got the identification only by the hands of the great triplets. These great thinkers are Thomas Hobbes, John Locke and Jean –Jacques Rousseau. The word ‘social’ means the society where the individuals live and the word ‘contract’ means an agreement or a commitment which is made between the individuals and the society. There were numerous theories on the ‘origin of the state’ but the theory of social contract explained the concept of origin of the state in a very well structured manner.⁴

The theory of social contract asserts that, the state came into existence through a contract which was made between the individuals and the society. At some point the situations in the ‘state of nature’ became so terrible that to come out of such situations people set foot themselves into an agreement or a contract and as per this contract the people will capitulate some part of their rights to the head of the state. Thomas Hobbes stated that people will give in all their rights to the king but king will not become a part of the agreement, the king will be the sovereign entity. According to John Locke, the people will surrender only a part of their rights and king will also become a part of the agreement. People also have a right to remove the king, if he fails to perform his responsibilities and at last Jean- Jacques Rousseau talks about the concept of ‘general will’. General will is not the will of all nor is it the will of the mass but it is simply the will of the people for commonweal.

⁴ India, I. (no date) “IILS India.” Available at: <https://www.iilsindia.com> (Accessed: October 17, 2021).

KEY PHILOSOPHERS OF SOCIAL CONTRACT THEORY

THOMAS HOBBS (1588 – 1679)

SOCIAL CONTRACT OF THOMAS HOBBS:

Thomas Hobbes contends in favor of limited monarchy. His book “Leviathan” was published in the year 1651 during the civil war in Britain. In this book Hobbes gave a prominent interpretation of the theory of social contract. His aim was to protect the absolutism of the monarch by taking the help of the social contract theory. He described the life in the ‘state of nature’ as, “solitary, poor, nasty, brutish and short.”⁵

People have a natural aspiration for certainty and rule. For achieving this, they give in their rights and freedom to the sovereign through a contract. This resulted in, the coming of monarchy as powerful authority to safeguard the property and lives of the people. Moral imperatives are placed on the sovereign. The authority will be bound by the natural law. Thomas Hobbes is a follower of absolutism. He upheld the belief of ‘survival of the fittest.’⁶

Hobbes stated that, “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.”⁷

Thomas Hobbes believed that human beings are intrinsically awful because everybody is self – serving. All mankind pursue merely what they discern to be in their own individually deemed heightened interest. People are attracted to what they desire and disturbed by what they are averse to. They are rational and can follow their aspiration effectively. Hobbes believed that the best was to surrender to the will of the king without any questioning.

⁵ *Yale books blog - Yale University Press London blog* (2013) *Yalebooksblog.co.uk*. Available at: <https://yalebooksblog.co.uk/> (Accessed: October 17, 2021).

⁶ *Oxford handbooks - scholarly research reviews* (no date) *Oxfordhandbooks.com*. Oxford University Press. Available at: <https://www.oxfordhandbooks.com/> (Accessed: October 17, 2021).

⁷ *Legal Desire media and insights - legal Desire* (2021) *Legaldesire.com*. Available at: <https://legaldesire.com/> (Accessed: October 17, 2021).

Thomas Hobbes urges to the people to give in all their rights and freedom and vest them on the king for protection of tranquility, existence and affluence of people. Thereby natural law becomes the ethical principle to the king for protecting the natural rights of the people.⁸

Real law is civil law, the laws and rules which are ordered and implemented by the king are introduced into the world to restrict the natural freedom of individuals, in such a way, as they may not harm but to help one another and unite against the common foe. Therefore, the concept of materialism, utilitarianism, individualism and absolutism are intertwining in the theory of Thomas Hobbes.

CONSEQUENCES OF THE SOCIAL CONTRACT:

Men will live in serenity but without rights and power excluding the right to self defense.

VIEWS ON STATE OF NATURE:

According to Thomas Hobbes the ‘state of nature’ is a scary place, and the “life of man” is “solitary, poor, nasty, brutish and short.” It is distinguished as the “pre- social” period of humanity. He stated that, “the liberty that each man has to use his own power for the preservation of his own nature.” People are not at all societal indeed they are, “nothing but grief in the company of their fellows.” All the people are being self- centered self- serving, egocentric, cruel and hostile.⁹

FORMS OF GOVERNMENT ACCORDING TO THOMAS HOBBS:

Thomas Hobbes in general talked about 3 forms of government which are completely distinct from each other. The three forms on which Hobbes specifically talks about are:

- Monarchy
- Aristocracy and
- Democracy

⁸ “The Internet encyclopedia of philosophy” (1999) *Choice (Chicago, Ill.)*, 37(03), pp. 37-1475-37-1475.

⁹ Authors (no date) *DigitalCommons@Fayetteville State University, Uncfsu.edu*. Available at: <https://digitalcommons.uncfsu.edu/> (Accessed: October 17, 2021).

Hobbes categorized and described the notion of 3 forms of the government in a manner that, when all the powers and responsibilities are entrusted in a person by the country he is called as monarch. When the powers and responsibilities are entrusted in an assembly, it is called as democratic form of the government and when the powers and responsibilities are given to some individuals then it is called as the aristocratic form of the government.¹⁰

Thomas Hobbes particularly discussed about these three forms of government only. He didn't consider the mixed form of the government.

MONARCHY:

Thomas Hobbes gave preference to the monarchic form of the government and said that it is best form of government. Apart from monarchy, he fairly considered in that peculiar form of government which could increase the serenity and safety in the country. While explaining the forms of government he was very much opposed to the concept of separation of powers. He considered, separation of power between the House of Lords, kings and masses was accountable for civil war which was definitely the cause of destruction. As per Hobbes monarchy assures consistency and uniformity. In any country monarchy as a form of government helps in precluding the country from dropping into any bad situation.

While, he favored the concept of monarchy with a conviction that in the monarchic form of government the rivalries for the offices, seat and positions are less as compared to the aristocracy and democratic form of government. He came up with a main advantage of monarchic form of government that, the monarchs of any nation have the same concern as that of its people.

LEVIATHAN:

Leviathan was written by Hobbes in the year 1651. It is considered one of the primeval and greatest prominent examples of social contract theory. Leviathan was written at the time of English Civil War. It claims that social peace and social harmony are best be achieved by the

¹⁰ "The Internet encyclopedia of philosophy" (1999) *Choice (Chicago, Ill.)*, 37(03), pp. 37-1475-37-1475.

formation of a commonwealth by social contract. Thomas Hobbes commonwealth is led by a sovereign authority and awarded with unfettered power to secure the common protection.¹¹

LAW OF NATURE:

- ✚ Thomas Hobbes deduces his first law of nature that, ordinary man with the purpose to safeguard life must strive for peace.
- ✚ The second law of nature monitors upon the command to strive for peace.
- ✚ The third law of nature provides that making contracts is not sufficient; we also have to keep the contracts that we make.
- ✚ The fourth law of nature talks about showing gratefulness towards those who sustain the contract.
- ✚ The fifth law of nature provides that we must be accommodating in nature for the objective of securing the contract and not fight over small matters.

THOMAS HOBBS INDIVIDUALISM:

“The natural state of man’s life is solitary, poor, nasty, brutish and short.”

BURNISHEDLAW JOURNAL - **THOMAS HOBBS**

Thomas Hobbes is considered as one of the most crucial direct precursor of contemporary individualistic ideology. He has attributed to all peoples natural freedom by virtue of which they are permitted to take all the steps that are required with a view to save them from other fellow creatures. He even believed that the practice of natural freedom rationally drives to perpetual conflict incessant fright as long as no single king prevails to preserve peace.¹²

Thus, it can be outlined that the target of Hobbes theory is survival.

¹¹ *Columbia College* (no date) *Columbia.edu*. Available at: <https://www.college.columbia.edu/> (Accessed: October 17, 2021).

¹² “Encyclopedia.com” (2006) *Choice* (Chicago, Ill.), 43(09), pp. 43-4987-43-4987.

THOMAS HOBBS HUMAN NATURE:

Hobbes considered that humans certainly wish for the power to lead a healthy lifestyle and that they will never be pleased with the power that they have without getting more power. He believed that all humans are formed equally. Hobbes also believed that the nature of kindness drives humans to strive for power.¹³

EFFECTS OF THE SOCIAL CONTRACT THEORY:

- The power of the king is unconditional. This is because of; the sovereign is the result of the contract, not an assembly to the contract. It is inevitable. People submitted all their rights and freedom to the king.
- No power in the state can be authorized to test the king. The king cannot be punished. The king is the single judge to select what is significant for the serenity and protection of the people.
- The king has the authority to listen and choose all discussions with regard to common and criminal laws.
- The king has the power to declare war and close the concept of peace.
- Hobbes believed that the people can be pleased in those rights which the king permits. Liberty is the gift of the king. Freedom of the people hence consisted in:
 - What the king has authorized.
 - What the king has not authorized.
 - The right of self protection which is preserved by the people.
- Thomas Hobbes was trying to adapt a tyrant government with political authority, got from the people. The people submitted their rights and freedom in order to achieve self conservation. Consequently, they need to pay a considerable cost for tranquility.¹⁴

¹³ Carroll, R. L. (2001) *The university of Tennessee at Martin: The first one hundred years*. Hillsboro Press.

¹⁴ Anonymous (2014) *Encyclopedia Britannica*. Rarebooksclub.com.

JOHN LOCKE (1632- 1704)

John Locke was a liberal thinker of the 18th century. He was the writer of the renowned and influential book, “The Second Treatise of Government” which was published in the year 1690, introduced the need to honor the human rights.¹⁵ John Locke commences his theory by envisaging a state of nature where humans reside in, prior assenting to the social contract. According to John Locke’s state of nature there is liberty, but not completely since he argues that the law of nature administering this land is by God. Freedom and rights are reputable because he outlooks humans as reasonable. Where humans behave unreasonably to pessimistic human actions, John Locke recommends the necessity for a social contract. Social contract is a contract which is made by the people in order to have an authority that would guarantee fairness and parity. People may respond unreasonably when slicing out a penalty to a perpetrator, other people may also interfere and penalize the offender. To avert an unfair form of justice being performed, Locke recommends a contract which is made amidst the people to structure a government that would primarily make rules which would secure equality before the law for all and safeguarding the rights, established in the state of nature.

In the state of nature, there is no power politics existing, nevertheless morality do exist. According to Locke’s opinion the ‘law of nature’ which is the foundation of all virtue, and which is given to us by the God directs that we should not impair others with respect to their, “life, wellness, freedom and property.” Life, health and freedom are some of the basic human rights which are established in the state of nature.¹⁶

THE SECOND TREATISE OF GOVERNMENT:

- ❖ The first treatise solely talks about disproving the argument of Robert Filmer’s “Patriarcha”, that political power was acquired from religious leaders which is also called by the explanation of the ‘Divine Rights of Kings.’

¹⁵ Allison, D. A. (2013) “Digital collections,” in *The Patron-Driven Library*. Elsevier, pp. 213–236.

¹⁶ “The Internet encyclopedia of philosophy” (1999) *Choice (Chicago, Ill.)*, 37(03), pp. 37-1475-37–1475.

- ❖ The second treatise comprises of John Locke's own practical opinion on the purpose and the reasoning for civilian administration.

To comprehend the state of nature, the society must be seen without any present government, ruling king or administration. It does not include dwellings, property, croplands, culture or social infrastructure. Locke's 'state of nature' secures parity for all people. He thinks that we will not be completely liberated in the state of nature as we will be confined by the rules of the nature. The rule of nature which impels every person for the very reason which is; all people being equivalent and self contained, no one should harm one another with regard to their life, wellness, freedom and property for people being the craftsmanship of one all-mighty. This rule of nature provides the discernment that because we people are God's creation we automatically become equal. Thus the people have no right to take one another's life or property.

In the state of nature when no human rights are being encroached then the rule of nature is being noted. Nevertheless the rule of nature permits to penalize the perpetrator for the offence he committed. Everybody who is restricted by the rules of nature have the right to penalize the wrongdoers. The reason for this is that the law secures uniformity and hence it cannot nominate one person who would intend to acquire a leading position to carry out fairness. The difficulty with permitting everyone as an executioner of law is that a partial punishment would be carried out as sentiments could come in the way. Locke determines that self love and self esteem will definitely make people biased to oneself and to others which will not contemplate a genuine and fair system and 'nastiness & vengeance will bring them too far in penalizing others' and therefore nothing but a lot of confusion and to avoid this confusion John Locke put forward the concept of social contract.

SOCIAL CONTRACT OF JOHN LOCKE:

The social contract of John Locke is an agreement which is made between the people and the government. The social contract is a resolution to the issues of the state of nature. The ruling regime must be solicitous about the welfare of the people. It must protect the rights and freedom of the people and penalize the wrongdoers. Such kind of government can be

outlined as a 'legitimate government.' An illicit government is the one that fails to safeguard the inherent rights of its people and infringe the rights of its people.¹⁷

John Locke stated that, "when a civil society is popularly entered into, it cannot become a dictatorship because power must come from above but legitimacy must come from below."¹⁸ This statement clearly describes why John Locke claims that a community and a society have the right to remove the government that is clearly not complying with the rules & laws of the country. That definitely offers the ground for a lawful insurrection. Government can be eliminated from the authority by a lawful process, called as election. Thomas Jefferson who was the author of the book "Declaration of Independence" adored John Locke.¹⁹

CONSEQUENCES OF THE SOCIAL CONTRACT:

The 3 human rights that prevailed in the state of nature will be convenient to implement by the government. People who have given the explicit consent will be restricted by the contract; and those who have given the implied consent can stand out and leave.

THE STATE OF NATURE:

The state of nature was 'pre- political' and not 'pre- social.' People were neither self – centered nor self – serving, nor hostile. People were equivalent and were free to do what they wish to, but within the limits of the rule of nature. Even prior to human's agreement, the concept of state of nature existed. It was not at all disordered because of human reasonableness and the 3 human rights, the right to life, liberty and property.

NEED FOR CIVIL SOCIETY:

- According to John Locke, the 'bad condition' was because of the 3 crucial desires that remained dissatisfied in the state of nature:

¹⁷ Anonymous (2014) *Encyclopedia Britannica*. Rarebooksclub.com.

¹⁸ *UK Essays* (no date) *Ukessays.com*. Available at: <https://www.ukessays.com/> (Accessed: October 17, 2021).

¹⁹ Editors, M. *et al.* (no date) *Maydan -*, *Themaydan.com*. Available at: <https://themaydan.com/> (Accessed: October 17, 2021).

1. The desire for a fixed, persistent well – known law.
 2. The desire for a well – known and indifferent judge.
 3. The desire for an executing authority to implement fair decisions.²⁰
- Social contract was nothing but transfer of particular rights and freedom in order to protect and preserve the remaining rights of the people.
 - The social contract was for circumscribed and particular reasons and what was surrendered was conveyed to the society completely and not just to a person or a group of persons.

TWO CONTRACTS:

Following are the two contracts:

1. A social contract brought the concept of state or the society into existence.
2. The other contract is the governmental contract in which the society in its incorporated capacity forms a government and choose a ruler to eliminate the shortcomings, which requires the establishment of the civilian society or the state.

John Locke acknowledged the presence of three powers i.e. legislative, executive and federative in the state.

JEAN JACQUES ROUSSEAU (1712 – 1778)

Jean Jacques Rousseau was a great French intellectual and author of the 18th century. He developed his idea in his renowned book, ‘The Social Contract’ which was published in the year 1762. Rousseau lived in an unhygienic loft, but taught about sanitation and hygiene. He wrote about natural world but lived in overcrowded Paris. He encouraged morality.

When Rousseau came to Paris he became more and more aware about the commanding society that was very unjust at that particular point of time. The laws were made by the

²⁰ “The Internet encyclopedia of philosophy” (1999) *Choice (Chicago, Ill.)*, 37(03), pp. 37-1475-37-1475.

wealthy people to match their own preference and interest, and not those of the ordinary people.

In his book “The Social Contract”, 1762 Rousseau contends that the rules and the laws are obligatory merely when these laws are backed by the general will of the individuals. His well-known notion, ‘man is born free, but he is everywhere in chains’ questioned the customary societal order. Whereby former thinkers talked about high people, Rousseau became the hero of the ordinary people. According to him the impeccable world was the one where the will and desires of the people are foremost.²¹

SOCIAL CONTRACT OF JEAN JACQUES ROUSSEAU:

Jean Jacques Rousseau commences ‘The Social Contract’ with the prominent expression, “Man is born free, but everywhere he is in chains.” These chains are not established in the state of nature but they must be the compositions of custom. The Social Contract of Rousseau, whose full name is ‘The Social Contract or Principles of Political Rights, 1762 is an examination of the treaty relationship with any lawful government, which are enunciated philosophies of fairness and utility to conciliate the desire for contentment with the meekness to the general will. This is the great work of Jean Jacques Rousseau.²²

Rousseau conveys his democratic principles into four parts:

- ❖ Giving up of our human rights to the state, which by its security harmonize uniformity and liberty.
- ❖ The men are almighty who are supported by legislature, the general welfare which is opposed to the communities of interest.
- ❖ Commonwealth should sustain its pureness by legislature.
- ❖ Establishment of state religion or civil religion.

²¹ “Online library of liberty” (2015) *Choice (Chicago, Ill.)*, 52(11), pp. 52-5644-52-5644.

²² *Sharing4good* (no date) *Sharing4good.org*. Available at: <http://www.sharing4good.org/> (Accessed: October 17, 2021).

CONSEQUENCES OF THE SOCIAL CONTRACT:

Life will be just for all if we apply the general will and put away our self interest.

VIEWS ON STATE OF NATURE:

- According to Rousseau the state of nature is a magnificent, prosperous environment for people, living unique serene lives.
- People in the state of nature were ‘noble savage’, who led a life of primordial innocence.
- People were self -sufficient, affirmed, self reliance, sound and courageous.

JEAN JACQUES ROUSSEAU AND JUSTICE:

As per Rousseau justice or fairness cannot be outlined as the “right of the strongman”. If the concept of justice was so, then the greatest power will forever be correct. The concept of justice according to Rousseau comprised of individual actions that accord with the civilian power. Nevertheless, people are compelled to behave in such a manner as if the power is lawful.

With the purpose to protect themselves and their possessions, individuals reached on an agreement by which people agreed to accept numerous blotches and responsibilities in return for the advantages of social alliance.²³

ROUSSEAU AND THE CONCEPT OF GENERAL WILL:

- Every person may have a specific will which vary from the general will, however as a part of the agreement the person will be required to submit to the general will. The general will is not equal to the longings of all people as it is not the sum total of all the interests. In fact general will is the sum total of person’s will as far as their objective is contrary.

²³ *Business News today: Read latest Business News, live India share market news, finance & economy news (no date) Livemint.com.* Available at: <https://www.livemint.com/> (Accessed: October 17, 2021).

- Supremacy is the general will. It is incorporated in the sovereign commonwealth. As per Rousseau, sovereignty is inviolable and inseparable which means that a republic sovereign which is divided can no more symbolize the public good.
- Rousseau pictured to establish a foundation which is directed towards the public good and that is, the ‘legislator’, in order to battle against the group of people, wishing to dominate the general will and trying to deflect it to their benefit.²⁴
- Jean Jacques Rousseau uses the word “Republic” to address that kind of a society which is regulated by the general will of the people. According to Rousseau civic right is an operation of the general will and it must be deferred by all. Therefore compliance to the civilian law is mandatory for all the people because of the conditions of the social contract. Nonetheless, the establishment of government is not an agreement or a contract; it is simply an act of the general will.
- In the wake of social contract civilian laws are determined by the great majority of suffrage of the judges who are chosen to symbolize the people. The minority group that resists the will of the majority group must agree to all the actions of the general will and they cannot deny submitting to the general will.
- The social contract insinuates complete and absolute submission by each person of his own human rights with the purpose to acquire the rights which are related to the nationality. It is not essential for the sovereign authority to guarantee civil rights and legitimate rights to his people, since their interests are same as those of the individuals. If someone denies to conform to the general will then the person will be required to conform to the body politic is the significance of the well- known passage wherein Rousseau asserts that people can be ‘forced to be free.’²⁵

²⁴ (No date) Stanford.edu. Available at: <https://plato.stanford.edu/> (Accessed: October 17, 2021).

²⁵ Anonymous (2014) *Encyclopedia Britannica*. Rarebooksclub.com.

JUSTICE AS FAIRNESS

Justice as fairness relates to the idea of justice that **John Rawls** introduced in his book 'A Theory of Justice' which was published in 1971. Rawls characterizes certain fundamental philosophies on which any idea of equity must be rooted. Such standards of justice came from the initial position under the veil of ignorance. This idea of justice basically deals with the society's basic construction which is, "society's main political, constitutional, social, economic institutions and how they fit together to form a unified scheme of social cooperation over time."²⁶

The fundamental idea conveyed by Rawls is that "justice is to be seen in terms of fairness." The concept of fairness is way prior to the concept of justice given by him. The quintessence of fairness is the assessment of the philosophies of justice, which should be free from prejudices. His idea of 'fairness' was based on the concept of "original position."²⁷

John Rawls forms justice as fairness in a pretty restricted framework and expressly declares, 'justice as fairness is not a complete contact story.'²⁸ Its aim is to display how we should assign collaborative surplus of assets to people in the society. Consequently, justice as fairness depends on two tacit conjectures about the society in question:

1. First, social alliance is possible and can work for everyone's mutual benefit.
2. Second, moderate surplus of resources are available to be distributed.

RAWLSIAN PRINCIPLES:

Rawls claimed that the principles of justice will arrive, by the unity of people in the 'original position' and under veil of ignorance. The principles are as follows:

²⁶ (No date) *Stanford.edu*. Available at: <https://plato.stanford.edu/> (Accessed: October 17, 2021).

²⁷ *Legal Services India* (no date) *Legalservicesindia.com*. Available at: <http://www.legalservicesindia.com/> (Accessed: October 17, 2021).

²⁸ *Andreas Føllesdal* (no date) *Føllesdal.net*. Available at: <http://www.føllesdal.net/> (Accessed: October 17, 2021).

- ✚ Every individual has an equivalent right to a completely appropriate program of equal fundamental liberties, which is consistent with a corresponding program of liberties for all.
- ✚ Societal and financial disparities have to meet 2 conditions:
 - a) Firstly, they must be connected to offices and positions which are open for all subject to the conditions of just equality of opportunity.
 - b) Second, they have to be; to the maximum benefit to the underprivileged members of the society.²⁹

CONCLUSION:

The concept of social contract by Thomas Hobbes is the persistent contribution to statutory and political ideology. The goal of Hobbes was to exclude the legitimacy of civil revolt and therefore to eradicate the opportunity of civil strife. For Locke the concept of state of nature was not the same as of Hobbes. He believed that people entered the society to safeguard their, 'life, liberty and property.' Rousseau's ideology was completely different from Hobbes and Locke. He considered that people are inherently born well. He only coined the term 'noble savage.'

John Rawls 'Theory of Justice' is broadly deemed to be a main bountiful egalitarian remedy to an issue that has been a subject of discussion by thinkers and policymakers from the time of ancient Greeks. The issue is to how to arrange a fair and equitable society that permits its people to dwell comprehensive and prosperous lives. John Rawls gives us with a theory that provides us with operational equality in return for least disparities in the kind of incentives.³⁰

²⁹ (No date) *Stanford.edu*. Available at: <https://plato.stanford.edu/> (Accessed: October 17, 2021).

³⁰ *Study in India: Admissions to top colleges - MBA, MCA, MBBS, B tech, BBA* (no date) *Indiastudychannel.com*. Available at: <https://www.indiastudychannel.com/> (Accessed: October 17, 2021).

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