

Originally published in 1997, *The Racial Contract* is an essay authored by philosopher Charles Mills that endeavors to show the prevalence of racial considerations in traditional frameworks of social contract theory historically deemed “neutral”. As a result of integral biases with regard to race and ethnicity, Mills argues, conventional conceptions of the social contract have helped pave the way for the racial contract: a moral and political theory that both justifies and permits the exploitation of nonwhites by whites. Throughout the essay, Mills exposes the existence and integration of the racial contract in prevalent political theories such as those developed by Locke and Hobbes. In his discussion of the latter, Mills concludes the presence of the racial contract by cleverly exposing tacit racial logic in Hobbes’ state of nature, a fundamental component of Hobbesian theory.

Deconstruction of Mills’ Argument:

P1: If a contract theory distinguishes between individuals based on race, it contains elements of the racial contract.

P2: The state of nature conceptualized by Hobbesian contractarianism distinguishes between individuals based on race.

C: The racial contract is built into Hobbesian contractarianism.

Premise 1:

As aforementioned, social contract theories are generally conceived as, or at least presented as non-biased moral and political guidelines for the actions of individuals in a society. However, if a contract theory distinguishes between individuals based on natural attributes such as race, it opens the floodgates for the institutionalized justification of exploitation; any distinction between individuals implies justifiable discrepancies in rights and obligations. Especially when separating individuals in the context of a state of nature, the implications of the racial contract amplify in magnitude - for a social contract theory to distinguish between individuals in its conceptualization of a state of nature is to suggest that two humans in their most basic state, void of all societal influences, are fundamentally different. When a social contract theory develops such a notion, it is evident that the racial contract comes along with it.

Premise 2:

According to Mills, the evidence for the racial contract’s presence within Hobbesian contractarianism, particularly with regard to the state of nature, can be found within the writings of the original contract theorist. While other comparable theories have to be intellectually reconstructed to expose the racial contract, Mills argues that Hobbes does the job himself. In Hobbes’ description of his notorious state of nature, the default condition of all individuals without organized society, he immediately implements racial (and geographical) distinctions on the supposedly equally applicable state. In describing the historical context of the state of nature, Hobbes states that it has never existed “over all the world,” citing (only) “the savage people” in the Americas as an example of its presence. Interestingly enough, this primitive

description of Native Americans was frequently used to justify occupation of the Americas as shown by writings from colonial settlers. In essence, Mills' argument regarding Hobbes' racial and geographical distinctions of the state of nature not only exposes the presence of the racial contract in Hobbesian theory, but demonstrates how it was potentially used to provide institutional support for racial exploitation.

As indicated by Mills, not only does Hobbes' description of the state of nature promote racial distinctions by diminishing the status of nonwhites, but further amplifies the racial gap by emphasizing white prestige. Returning to Hobbes' examination of actual examples of a state of nature, or a possibility of it, Hobbes comments that "though there had never been any time" a condition of warre, "in all times [there is] a state of continual jealousies between kings and persons of sovereign authority." In saying that "there has never been any time" a literal state of nature, Hobbes contradicts his earlier assertion that not only have there been examples of states of nature, but that there are current examples of such. However, as Mills points out, Hobbes is once again establishing a racial distinction between the literal, "brutish" state of nature experienced by nonwhites, and the hypothetical state of nature that could be experienced by the white "sovereigns" and "kings." In essence, as opposed to his description of Native Americans, Hobbes uses illustrious terminology to describe whites and indicates a state of nature as merely hypothetical so as to suggest that whites are too rational to find themselves in the state of nature that nonwhites do.

## Conclusion

In conclusion, Mills' arguments show that racism is institutionally justified by the presence of the racial contract inherent to political systems following social contract ideology, such as Hobbesian contractarianism. Alarmingly, the presence of the racial contract within the social contract is not inadvertent, but intentionally implemented to maintain white supremacy.