

I was always fascinated by Hobbes's social contract theory, believing there is a great truth to be found somewhere within it. Maybe this isn't the correct phrasing - there is obviously great truth in Hobbes's writing, inasmuch as it predicted precisely what would happen if Rousseau's ideas are carried through (and since *Leviathan* was written before Rousseau's *Social Contract*, this only makes his predictions more profound). His assumptions of human nature, and the secular nature of his analysis are clearly superior to any of his contemporaries optimistic theories.

But is there anything more to be found there? Recently I began to admire mostly the modularity of Hobbes's theory. He describes this modularity in *Leviathan*, when he mentions that if the contract will appoint a parliament of rulers, then amongst these rulers, there would be the very same war of everyone against everyone that existed in the natural condition. The reasoning is simple - without accepted leadership, there will always be struggles, and without relinquishing the natural rights, there cannot be leadership. Both Hobbes and Rousseau agreed on this point - Rousseau himself said that in creating the social contract, the individual relinquishes his natural rights, and instead receives civil rights. Hobbes agreed with the first part, and, it can be inferred from the text, the second part is optional - the ruler may agree to impart some rights on the people, but it is not a necessity. What Rousseau called "The General Will" and "Justice", Hobbes bluntly called the ruler - after all, they both agreed that the decisions made by the government created by the social contract are, in fact, made by the individual herself, and therefore cannot be "wrong".

So where in all this can we find a more plausible theory of the emergence of government? To discover this, we must refer to the true nature of mankind, as can be inferred through archeology, anthropology and ethology. De Maistre's claim that man was "created" a social being is very much supported by biological evidence. Primates through and through are social animals, and man is no exception. Indeed - man never created a society, it was always a part of him, from long before he was "man" at all. But man's inherent social instincts can only explain tribalism. In nature, apes form small groups of no more than a couple of dozens, often less, and maintain them for long periods of time. Individuals from different tribes may mingle (especially females), but the tribes are basically set groups. Interestingly enough, tribes of chimpanzees have been known to wage "wars" on adjacent tribes, and in some cases - have eliminated entire groups. Within each such tribe, there is a clear hierarchy, which is nonetheless not static - alliances among members can help to overthrow the alpha-male, even if he is physically the strongest of the group.

So we can see how small tribes can be naturally formed amongst men without the help of force or consent. The question is then how do these tribes become chiefdoms and states? From the very question it is easy to see that our units of research are not individuals, but rather tribes, or extended family groups, that are our actors.

It is here that the modularity of Hobbes's theory comes in handy. Among the different tribes there is a constant war of everyone against everyone. As was noted before, and as can be seen from archeological documents, such wars could threaten to wipe out complete cultures. In accordance with Hobbes's natural laws, these tribes will sooner or later understand (through their own devices or following an external common threat) that their most viable means for survival is through merging into one great body - a *Leviathan*. To allow this to happen, none of the groups may be allowed to keep its natural rights as a group - they must all submit these rights to the new super-group, so as to prevent any wars erupting within the super-group.

Now comes my main point: the meaning of a group relinquishing its rights on its members, is the individuation of the group. The merger of several tribes into one

super-group results in freeing the individuals of the constraints of the group. This individuation may not last long - after all, the groups did not give their rights to the individuals, but rather to the super-group - this is how a nation is created. It is this nation, embodied in the government that it forms, that will decide on the amount of freedom each individual has.

Now, when Hobbes described his Leviathan, he could not account for the monarch to impart rights upon the people - these rights, after all, are what caused all the mess in the first place. However, in our postulation, the rights were never in the hands of the individuals, and therefore giving rights to individuals (which are necessarily different from the rights previously held by the groups) does not pose a threat to the super-group. The super-group is in danger only when the groups resurface and demand rights for themselves. In this sense, giving rights to individuals is in fact a defensive strategy by the state, meant to prevent the creation of groups (which will naturally revoke the rights of the individuals). Therefore, a democracy (that is, a super-group that decides on a form of government where the individuals are granted repeated power to decide on the ruler every several years) is not created **by** free individuals, but rather it **creates** the free individuals. A democracy that does not guarantee equal civil rights is in serious danger of having its groups resurface, and eventually - dismantle the super-group.

Such a situation can be seen throughout the history of the United States - whenever a group appeared (women, blacks etc.), the state (the super-group) responded, eventually, by granting the members of the group equal civil rights, thus dissolving the group.

The situation in Israel is different - here, the formation of the super-group was flawed from its very inception. Two groups that reside as part of the civil body - the ultra-orthodox (and to some degree the national-religious) and the arabs, have never agreed to join the super-group. In the case of the orthodox Jews, not only have they never relinquished their rights as a group, but they have also been demanding more and more rights as a group from the country. In reaction, another part of the super-group threatens to dislodge itself from the majority. In part we can see this in the demand for extra-rights for those who served in the IDF, and in part in the recent rise of Shinui, and a general annoyance expressed by secular Jews with the group-rights enjoyed by the religious group.