CHAPTER IV

J. H. WARRENDER: MORAL OBLIGATION

In Warrender too we find an account, which bases Hobbes's political philosophy outside science. This chapter discusses his argument that the political philosophy of Hobbes is based on the theory of moral obligation, which has its basis in the state-of-nature in the form of laws-of-nature. The laws-of-nature are essentially moral laws and prescribe duties towards society and are morally obligatory because they are commanded and willed by God. The sovereign does not create moral laws, and his only role is to interpret and render the preexisting moral laws fully operative. Therefore, Warrender argues, Hobbes's theory of obligation runs through the whole of his account of man, both apart from and within society and it is independent of the fait of the sovereign. Beginning with a brief note on the difference and similarities between Warrender and Taylor, this chapter proceeds to different types of obligation and the significance of moral obligation in Hobbes as stated by Warrender and discusses the three aspects of obligation and their pervadence in both state-of-nature and civil society. It concludes by pointing out how Warrender placed the philosophy of Hobbes outside science.

It is necessary to point out that the above argument of Warrender that moral obligation in Hobbes is independent of the sovereign authority though seems to be similar to that of Taylor, however, differs from the latter in significant ways. One of
the important points of difference between Warrender and Taylor is the 'Kantian analogies' in Hobbes's doctrine. While Taylor drew similarities between Kant and Hobbes, Warrender rejects this and maintains that the obligatory character of natural law in Hobbes does not follow from its rational form but from their capacity as the commands of God. The rational nature of laws-of-nature guarantees, not their obligatoriness, but 'that they are know. able without special promulgation as commands of God.' (1957:337) Further, Warrender contends that Taylor's analysis of obligations in the state-of-nature in terms of reciprocity cannot be justified from Hobbes's text. Warrender criticizes Taylor for presenting Hobbesian treatment of the sovereignty only as sovereignty by institution and neglecting the sovereignty by conquest and acquisition. Taylor correctly indicates that there are some passages reminiscent to Kant's moral theory. However, Warrender departs from Taylor in asserting that the Kantian elements (though present) have no continuing and significant part. And it was a rationalistic ethic that pervades and ties together the whole structure, relating both to man in the state-of-nature and in civil society.

Warrender holds that for Hobbes the laws-of-nature are rational principles, and they are eternal and unchangeable even by God. Warrender regards Hobbes as essentially a natural law theorist or philosopher. Let us discuss Warrender to see how he argues that moral obligation is the basis of Hobbes's political philosophy.

Warrender makes an 'attempt to discover the logical structure of Hobbes's argument in one of his central aspects, namely, the theory of obligation' by piecing together his arguments as far as it could be done legitimately. (1957:2) The theory of obligation though forms only a part, has widespread implications in the philosophy.
of Hobbes. A consistent formulation of theory of obligation is necessary to demonstrate "why the citizen ought to obey the civil law" and to prove the survival of Hobbes's ethical and political philosophy. In order to provide consistent formulation of moral obligation he first examined two types of obligation. They are, physical obligation and moral obligation. Subsequently, he provided a framework within which the aspects of obligation, such as instruments of obligation, grounds of obligation and validating conditions of obligation are discussed. He argued that these aspects of obligation are same in both the state-of-nature and the civil society.

Let us discuss two types of obligation discussed by Warrender. Physical obligation is concerned with involuntary actions. It does not play any role in Hobbes' system for it involves the type of involuntary obedience that is given to the laws of natural science and is concerned with sheer physical constraint and therefore it has marginal use in Hobbes. Moral obligation is concerned with the voluntary actions. It is the obligation to obey God in his natural kingdom, based upon fear of divine power, and it is the one which binds the citizen in the civil society. Warrender takes up the later one as the subject matter of his study.

According to Warrender the framework of the study to the discussion on moral obligation is (a) what the individual is obliged to do, which can be derived from the Hobbesian treatment of natural and civil law and (b) what the individual cannot be obliged to do, which can be derived from Hobbes's logical analysis of what is implied in being obliged. The first one gets exposed in the Hobbesian account of obligation and authority, i.e., in the description of civil law and finding
their authority in God. The second one gets exposed in the analysis of obligation and its applicability to human conditions. (1957: 13)

Within this framework the three aspects of obligation i.e., Ground of Obligation. Validating conditions of Obligation and Instruments of Obligation were discussed. Warrender defined the ground of obligation as that "condition or factor" from which the obligatoriness is derived (i.e., the source of obligation). The source of obligation, in Hobbes's philosophy, is God. Validating conditions are those, "which must be satisfied if a ground of obligation is to be operative" (such as sanity and morality). These conditions in their negative sense can also be called as "invalidating principles' since they state the absence of some validating condition that by its absence renders inoperative some ground of obligation.' (1957:14) The instruments of obligation are the standard means whereby an obligation is incurred'. The sole instruments of obligation are laws and covenants. Obligations are imposed upon the individuals by laws and the covenant is an instrument whereby the individual takes obligation upon himself. (1957:28-9)

Satisfaction of these three aspects of obligation is necessary for any act of obligation. Nevertheless, what happens if one of the conditions, either the ground of obligation or the validating condition of obligation is absent. In order to clarify the confusion regarding the absence of any one of the conditions Warrender introduces a further distinction between suspended obligation and prima-facie obligation. He names that a suspended obligation in which the ground of obligation is present and one or more validation conditions are missing. To quote Warrender. 'When the ground of obligation is present, but one or more validating conditions pertinent to
that ground are lacking, this case may be described as a suspended obligation." (1957:26) Prima-facie obligation is that where the ground of obligation is present and the existence of validating conditions pertinent to the ground of obligation are not specified. He says, "Again, when the ground is present, but it is not specified whether the relevant validating conditions are satisfied or not this case will be called a prima-facie obligation." (1957:26) In the above two cases the ground of obligation is present, but the problem is with the presence or the specification of the validating conditions. However, if the ground of obligation itself is not there then such kind of situation, irrespective of the satisfaction of the validating conditions, is described as moral vacuum. To quote Warrender, "If, on the other hand, the grounds of obligation themselves are lacking, the situation may be described as a moral vacuum. whether the relevant validating conditions are satisfied or not." (1957:26)

The analysis of the grounds of obligation, i.e., the authority or source of obligation, provides answer to what the individual is obliged to do. What the individual cannot be obliged to do is answered in the discussion on validating conditions and the instruments of obligation. In the course of his argument, however, he first takes up the issue of what the individual cannot be obliged to do and second, what the individual is obliged to do. In other words, he first takes up the Instruments of Obligation and Validating conditions of Obligation and then proceeds to the Ground of Obligation.

Warrender acknowledges three kinds of possible expositions regarding the theory of obligation of Hobbes. Firstly, the very possibility of the exposition of the theory of obligation can be questioned by arguing that there is no such theory to be
found in any significant form. The very possibility of any normativity can be denied by arguing that Hobbes' theory of obligation is essentially a theory of how men do act and it does not discuss how men ought to act. Secondly, it can be argued that the institution of civil society brings with it a "generically new type of obligation", since the state-of-nature is a moral vacuum and moral obligations have their origin only in civil society. The third possibility is to argue for the prevalence of the theory of obligation in the whole of Hobbes' s account of man, both apart from and within the civil society. (1957: 7) Warrender accepts this third interpretation and expounds a consistent theory of obligation. He bases Hobbes' theory on a postulate which, as he himself puts it, "the obligation of the citizen to obey the civil law is a type of obligation that is essential!" independent of the state of the Civil Sovereign". (1957: 7) This postulate led him to the notion that the origin and validity of the theory of obligation lies above and independent of the purview of the civil society. Let us discuss obligation in the state-of-nature and see whether there is a single consistent theory of obligation running through the state-of-nature to the civil society.

Instruments of Obligation:

Hobbesian account of moral obligation starts with state-of-nature, which is an account of man outside and apart from the civil society. Two instruments of obligation, covenants and laws-of-nature, form the basis of obligation even in the state-of-nature, and proceed to the civil society. Let us first understand Hobbesian account of the covenant. Covenant has a specific technical meaning, it involves the individuals who promise or agree to do something for their benefit and continue to do it in the future. The covenant in this specific usage includes the mutual benefit of
Covenants, which have a technical meaning in Hobbes's writings, arise when individuals make a promise to, or an agreement with, each other, when there is a consideration or matter of benefit involved for both parties, and where one or both parties are to perform in the future and are to be trusted in the meantime. (1957: 30)

Agreement between the two parties is the general condition of the covenants. In other words, the covenant arises because of the agreement between the parties. The agreements, which do not satisfy this technical definition, cannot be regarded as covenants in the Hobbesian sense. If the agreement between the parties is the basis for the covenant to come into existence then there must be some principles on which their agreement rests. There must be some principles that validate the covenants. These principles, according to Warrender are: (i) The covenant should not be against law, whether it be natural or civil. (ii) It should not prescribe known impossibilities, which the party to the covenant cannot perform. (iii) It should not take away the right to self-preservation of the individual. (iv) It should not contradict the earlier covenant. (v) Both the parties to the covenant must accept to perform the covenant. (vi) The individual should know to whom he should oblige the covenant. That means no one should have obligations to persons unknown. These are the basic principles, which must be satisfied to call a covenant to be performed. (1957:31-4)
All these principles apply "alike to covenants in the State of Nature and to those in civil society." (1957:35)

Warrender argues that it is mistakenly thought that there are no obligations in the state-of-nature. Tracing the source of this mistake to Hobbes's own pronouncement that there are no valid covenants in the state-of-nature and man is not subject to the obligation before the establishment of the sovereign power. Warrender argues that the state-of-nature is, in fact, central to Hobbes's theory of obligation. It is central because all the obligations of Hobbes's political philosophy have their beginning in the state-of-nature. Though Hobbes did say that there are no covenants in the state-of-nature, he did not, however, said that there is no obligation to keep valid covenants. In other words, there are no covenants does not imply, as it is mistakenly thought, that there is no possibility of covenants. Conceding the possibility of the absence of the valid covenants in the state-of-nature, however, does not rule out the possibility on the part of the individual to perform his part if there were any valid covenants. This possibility of obligations did not get actualized in the state-of-nature. because the validating conditions are not satisfied. As it is stated above, all obligations have to satisfy certain validating conditions. without which they cannot be considered as obligations. In the state-of-nature obligations such as covenants against the law and covenants not to defend oneself are valid. Except the covenants that are against the law and self-preservation, all the other covenants are valid in the state-of-nature. The ground of obligation (i.e., God) the instruments of obligation (covenants and laws) and the validating conditions (such as obligations should not go against the law and obligation should not prescribe known
impossibilities etc.) are prevalent even in the state-of-nature. But only few of them are operative. For instance, both parties to the covenant must accept and agree to perform the obligation and man can have no obligation to kill himself. are the validating conditions that are satisfied even in the state-of-nature. It is true that, there will be a fear of nonperformance of the covenant by others in the individual. However, this does not work in all situations. For instance, the fear of one party of the nonperformance by another party to the contract, even though that party has already performed the covenant, cannot be justified. The just suspicion of one party of the covenant that the other party will not perform his share (which Warrender calls 'retrospective invalidating principle') would make the validity of the covenants insecure in the state-of-nature. One of the reasons, which justify the just fear of nonperformance on the part of the parties to the covenant, is the fear that the subsequent conditions or events would invalidate the covenant. In addition, the appearance of such subsequent causes of fear are ever likely to arise in the state-of-nature, which is why there are few covenants that are not invalid. It is this just fear that is responsible for the different positions of covenants in the state-of-nature as compared with those in the civil society. In the civil society the fear that the other party to the covenant may not act accordingly cannot be regarded as the just fear. Because the sovereign will enforce lawfully the performance of the covenants and creates certain security on the parties to the covenant. But in the state-of-nature the absence of this enforcing mechanism makes the parties to the covenant insecure and gives way for invalidity of the covenants.
Warrender asks the question, if the sovereign is necessary for the existence of valid covenants, how can he be instituted by a covenant? This gives him scope to argue that the origin of obligation to obey the covenants is in the state-of-nature itself. He argues, to quote Warrender:

If Hobbes's theory is, that I am obliged by my covenant unless some subsequent cause of fear invalidates it, the function of the sovereign is not to make covenant valid that was previously invalid, but to prevent (by taking way subsequent causes of fear) what is already a valid covenant from becoming invalidated. (1957: 44)

Warrender stresses the point that in the state-of-nature man is obliged to fulfil the covenants he made but the required determinate conditions are inoperative. However, this won't leave the individual blameless, in fact, he has to answer to his conscience. In this way he brings conscience also into the discussion, since any act of performance or breaking of the covenant is a willful and volitional act of the individual. All the volitional acts are the acts of conscience. Even if the determinate conditions are inoperative covenants can be obliged because the individual has to answer his conscience. This provided Warrender a way to argue that the transition from the state-of-nature to civil society was made possible only because of the existence of the valid covenants. The sovereign in the civil society only makes the situation possible for the existence of covenants, but he does not provide an obligation to keep valid covenants. Further, Warrender adds, the difference
between the **state-of-nature** and the civil society is a difference of circumstance and not of moral principle' (1957:47).

After explaining that without the existence of covenants before the existence of civil society the transition from the state-of-nature to civil society is not possible. Warrender turns to the second set of instruments of obligation, i.e., **laws-of-nature**. Though both the covenant and law of nature are the instruments of obligation, covenants draw their obligation from the laws-of-nature. Covenanting is a special case of obligation, where as laws-of-nature is a general one.

Warrender argues that Hobbes's theory of political obligation should be derived from the natural law, which enjoys its own authority, and hence the political obligation is a moral obligation. This led him to interpret Hobbes as a 'genuine natural law theorist'. The **laws-of-nature** play a crucial and pivotal role in Hobbes's theory of obligation. Even in the state-of-nature these natural laws prompt the individuals to establish the sovereign. Their importance, though marginal in the civil society, nevertheless continues in the civil society. Warrender points out that obligation, as Hobbes understood it, is essentially same both within and outside civil society, and there are obligations in the state-of-nature and that no new kind of obligation is added with the formation of a state. The obligation to keep the covenant by which a sovereign is set up depends on, and is merely a special case of the obligation to obey the **laws-of-nature**.

The **laws-of-nature** are obligatory to man in both the state-of-nature and civil society. In order to specify the extent and manner of the fulfillment of obligations a
distinction has been brought between obligations *in foro interno* and *in foro externo*. Obligations *in foro interno* (i.e., obligations in the court of conscience) are not affected by the provision of sufficient security and oblige always. The obligations of *in foro externo* (i.e., obligations in the realm of external action) are contingent upon the security of the agent. According to obligations *in foro interno*, in the state-of-nature, there is a general obligation or duty to endeavor peace or preserve a readiness of mind or disposition to observe the *law*. The obligation to *obey* the *laws-of-nature* by man, for Hobbes, is not always *in foro interno*, since he may not have sufficient security against other men. Since the performance of law without security may put the individual into mortal danger, "sufficient security" acts as a validating condition for obligation *in foro interno*. Obligations *in foro interno* are all those obligations for which the individual conscience is *guide*, and for the *performance*, of which the man is responsible to *God*, who judges his intentions as *well* as his actions. This goes in contrast with the civil law, where specific performance of an act alone always satisfies the law, for the civil authority cannot adequately scrutinize the *thoughts*, but only external actions of men.

Further, the distinction between obligations *in foro interno* and *in foro externo* as obligation to *intend* peaceful actions and an obligation to *act* peacefully comes, not out of the best reading of Hobbes. The actual distinction between these two kinds of obligations is based on a distinction between two classes of actions. The obligation *in foro interno* comprises those *actions*, which ask men to be as peaceful as they *safely* can and look for favorable opportunities for peace. The obligations *in foro externo* comprises specific *performance* of law, where what the *law* prescribes
is carried out precisely in actions.' (1957: 67-8) For instance, the third law-of-nature, which states that man must keep covenants, can be used to understand the distinction carefully. According to Warrender:

An obligation \textit{in fo\ae\ externo} under this law, would be satisfied only by a specific fulfillment of the agreements which the agent had made. In a dangerous situations, however, the corresponding obligation \textit{in fo\ae\ interno} may be satisfied by not performing the pledge or performing only the safe parts of it, or even by fighting, as all these may be consistent with endeavoring peace in some circumstances (1957: 68).

To bring the moral issue into the context the individual is required to satisfy himself by discharging his obligatoriness in good faith and right spirit. He is answerable only to God, "who will judge both his action and the intention which lies behind it. for God that seeth the thoughts of man. can lay it to his charge." (1957: 69) Obligation \textit{in fo\ae\ interno} applies solely to all obligations in the state-of-nature and has wider range of application even in the civil society. This wider range excludes the obligations done under civil law and includes situations where the civil law is silent and where civil law by its very nature cannot give prescriptions. Therefore, obligations \textit{in fo\ae\ interno} "are a class of obligations which includes all the obligations of men in the state-of-nature and those obligations upon the citizen which lie in a field where the civil law for some reason or another does not apply" (1957:72) This proves the fact that the concept of obligation \textit{in fo\ae\ interno} has a relevance for the whole of Hobbes doctrine and not merely for the state-of-nature.
Validating Conditions:

As the argument in Warrender's thesis aims to project a consistent theory of obligatoriness, which runs from the state-of-nature to the civil society, the validating conditions of obligation in the state-of-nature is also the validating conditions of obligation in civil society. The validating conditions of natural law are: (i) Sufficient security, which states that to be a law and obliged, "must operate in a context in which the validating condition of "sufficient security" may be said to be fulfilled." (1957: 58) The state of general insecurity in the state-of-nature is because there is no law and no authority to impose obligations, which can be called as a condition where every man has 'a right to all things'. (ii) The law must be known or knowable to the person to be obliged. (1957:80) Children and madmen are exempted from this. (iii) The author of the law must be known or knowable. 'for no man is understood to be obliged, unless he knows to whom he is to perform the obligation'. (1957:81) The author of the law is God and along with children and madmen, atheists are also excluded from being obliged by the natural law. (iv) The law must be interpreted. This condition operates at a secondary level and useful to distinguish valid from invalid interpretation of law. The principle which governs the valid interpretations of natural law is: "that where there is an external human authority (in other words, a sovereign), the interpretation given by that authority is law, and where there is no such authority, or where that authority is not or cannot be competent the law must be interpreted by the individual reason and conscience." (1957:86) (v) The person obliged must have a possible sufficient motive to obey the law. (1957:87) Obligation to the law must be motivated by the self-preservation of the individual. Since no man
can have a sufficient motive to end his life, obligations must be consistent with self-preservation. Warrender argues that this validating condition is partly logical and partly psychological. It is logical in so far as it can be extracted from Hobbes's concept of moral obligation. It is psychological in stating that no man can have a sufficient motive to kill himself. Warrender supports the main claim of the present thesis, the point that the motivation for self-preservation is a psychological one and not based on the natural science. Hobbes by introspective and observational evidences, rather than the first principles of motion extracts the motive of self-preservation. To quote Warrender:

... that no man can have a sufficient motive to kill himself, is a psychological principle and Hobbes appears to have regarded this as being based upon introspection or observational evidence, though he does occasionally suggest that it may also be deduced from his first principles of motion. Neglecting the latter possibility, the psychological principle is contingent.

(1957:93)

The psychological principle that nobody will have sufficient motive to kill himself is the basis of moral obligation. This psychological principle is deduced from introspection or observational evidence but not from the laws of motion.

Warrender rejects the view that there is no obligation in the state-of-nature and argues instead that even in the state-of-nature the laws-of-nature are obligatory. However, the problem of 'sufficient security' i.e., bona-fide defense in terms of self-
preservation invalidates the obligation *in foere externo*. Nevertheless, even in the state-of-nature which is state of war, there are few external actions which are specifically forbidden. They are drunkenness and cruelty or revenge. The excuse of self-preservation invalidates "a great many obligations". However, this does not mean that the state-of-nature is a state of total insecurity and so there are no obligations. Hobbes, according to Warrender, for instance, enumerates few external situations where suspicion of danger is not possible. Such as, where one party to a valid covenant has already performed its part. Further, a just suspicion of a good faith of a party can arise only from some event subsequent to the agreement. These two define secure situations in the state-of-nature and no 'just fears' can be true as far as these situations are concerned. In general, therefore, the class of persons who are in an insecure situation and who sincerely think themselves to be insecure are exempted from the obligations to obey the law and remaining class of people are obliged to obey the law. This general principle is true to both the state-of-nature and the civil society. However, Warrender asserts that this general principle has been obscured because of Hobbes's apparent over emphasis on the problem of security as a significant aspect of the contrast between the civil society and the state-of-nature. There are few secure situations in the state-of-nature and also there are insecure situations in the civil society.

As law and covenant are the only necessary instruments from which the obligations are incurred it is obvious that the same conditions, which validate law and covenant validate obligation. However, there are conditions other than the validating conditions of covenants and laws-of-nature, which qualify the validity of
obligations. They are the logical and psychological impossibilities. Logical impossibilities are the laws such as commanding a person to round a square or to bring a colorless red object etc. Psychological impossibilities are, for example commanding the agent to kill himself or asking him to renounce the right to self-preservation. In this way, these validating conditions of obligation are tests for the logical and psychological possibility of obligations.

Warrender argues that the discussion of the account of obligation in the state-of-nature gives the outline of the theory of obligation in general. He states that the entire theory of obligation is given in the outline description of the state-of-nature and any further discussion on this aspect, which comes in civil society, is only a kind of explanation or the application of the already discussed one. That means the state-of-nature gives a full outline description of the theory of obligation and what remains for civil sovereign to do is either to give an explanation or to show a way of application to the affairs of man under various circumstances. This further implies that the state-of-nature is not a state of moral vacuum and if certain validating conditions are satisfied, then law will always bind man. Civil society is not the starting point of Hobbes's description of moral obligation. The civil sovereign prescribes neither the ground of obligation nor the validating conditions of obligation. Rather, the sovereign is only concerned with the making a framework under which the obligations could work. To quote:

The account of civil society is essentially an account of how these validating conditions may become satisfied. The civil law prescribes neither the ground of obligations nor the terms
under which they are valid in any particular case, but is concerned entirely with the satisfaction of conditions that he does not himself specify. (1957: 102)

The political sovereignty, for Hobbes, is always established by covenant. Whether it is sovereignty by institution or sovereignty by acquisition the power of the sovereign is absolute and it cannot be transferred to another. The sovereign cannot be accused by any of his subjects of injury. He cannot be punished by them. He is the judge in deciding what is necessary for peace and he is the sole legislator. Individuals are authorized to obey him without any resistance, except in the case of self-preservation. Though, he is not a party to the contract, he is still accountable to his own conscience and to God for his actions. The establishment of civil society does not affect either the ground of obligation or the validating conditions of obligation. Nevertheless, according to Warrender, its existence effects the obligations in the following ways.

1. Because of the provision of the ‘sufficient security’ the obligations, which are suspended due to lack of security, are converted into obligations.

2. Sovereign gives a determinate and public interpretation to the laws-of-nature to enlarge their applicability to the affairs of man.

3. Obligations are extended and particularized under a framework of obligations and interpreted as under the previous heads. In other words, they are extended by the political covenant to the other matter of affairs. (1957: 141)
In this sense, the function of the sovereign is not to create moral laws but to enforce and interpret them. Hobbes’s main concern in this respect is the political authority and his main contention is that without proper political authority morality is frustrated, either through men’s passions or their insecurity. The provision of security protected by the sovereign authority effects not only the validity of the covenants but also the operation of the laws-of-nature in general. For these laws bind the individual *in fore interno* in the state-of-nature, with the establishment of the sovereign they work *in fore externo* also. The sovereign, in this way, provides conditions which render operative obligations that are previously imperfectly effective and suspended in nature.

After the advent of the civil sovereign, laws-of-nature persist even in the civil society and play an essential role in the theory of obligation. In the civil society the laws-of-nature are not superseded by the civil law. However, what is altered is their manner of operation. In civil society the interpretation of sovereign works as a public code and determinates rules, which are to be enforced by public authority. From Hobbes’s account of civil society, it appears as if civil law and the authentic interpretation of natural law encompass the whole theory of political obligation by sovereign. However, Warrender asserts that along with the civil law and the interpretation of natural law there are other obligations ‘where these official enactments are not or cannot be applied.’ (1957: 146) In such situations the individual subject is supposed to interpret the natural law for himself and for this he is accountable ‘only to his own conscience and to God.’
Hobbes has given supremacy to the natural law over the civil law. The civil law, in this way, neither commands what the natural law forbids, nor can it forbid what is commanded by natural law. In the civil society, civil law replaces the natural law to the extent that a determinate rule is made in interpreting the natural law. However, where it is not replaced in this way, natural law prevails. As the broadest objective of the law is to seek peace, all laws can be regarded as natural in some sense or the other. Civil law is only one level at which the citizen obeys natural law and it is neither comprehensive nor self-justifying in itself.

The obligation to the moral law, i.e., either natural or civil law, is not unconditional. As already pointed out there are few validating conditions that are to be satisfied to make a law obliged. However, if the validating conditions are satisfied, the moral law would be then of universal application. If there is any discrepancy that is found between the obligations of the individual outside the society (i.e., in the state-of-nature) and those of the citizen, then it is understood entirely in terms of "presence or absence of the circumstantial factors." That is, what is altered in the civil society, when compared to the state-of-nature, is neither the ground of obligation nor the conditions of obligation, but circumstantial state of affairs.

The discussion so far expounds that the validating condition of both the instruments of obligation i.e., the covenants and the natural law, are same in both the state-of-nature and the civil society. This discussion, to recall the framework of the argument, explicates what the individual cannot be obliged to do. The applicability of the instruments of obligation to the conditions of man in both the state-of-nature
and the civil society, stress the existence of validating conditions, which state what an individual cannot do. Let us now proceed to Warrender's discussion on what the individual is obliged to do by turning our attention to the ground of obligation, which is the source or the authority of obligation.

**Ground of Obligation:**

Warrender asserts that the ground of obligation in Hobbes is God. The argument that Hobbes is an atheist is totally rejected. The question that "why the laws-of-nature are obliged or why the covenants must be kept?" is answered by Warrender as "because these laws are the commands of God, who is entitled to obedience." Thus, the laws-of-nature in the state-of-nature can only properly be considered as laws as the commands of God and it is from this ground that they draw their obligatoriness. The authority of the law, in this way, is drawn from the authority of the author. The inoperativeness of the ground of obligation under few cases such as atheists, madmen and insecure persons is because the validating conditions of obligation are not always satisfied. Further, to quote Warrender:

...if the atheist knows God in the relevant sense, or the madmen were sane, or the 'insecure' men were 'secure'. &C., the laws-of-nature would oblige these persons, and under one of these laws they would also be obliged to fulfil any valid covenants which they had made (1957: 100).
This shows that if the validating conditions such as law and the author of the law must be known to the agent are satisfied then the ground of obligation, that is God, is obviously known and become operative.

Warrender makes a reasonable case for the ground of obligation by arguing that men ought to obey natural law because obedience is a means to attain highest good, which is their highest interest and natural law is the will of God, and ought to be obeyed for that reason (1957: 279). There is a sphere of God, which governs the individual by the use of commands, which are laws-of-nature that are knowable by the use of reason. These laws are supported by rewards and punishments which Warrender describes as "a sanction which may be summarized as the sanction of eternal salvation or the ultimate destruction" (1957: 295) Thus, the highest good of the individual posited by Warrender gives rise to an interesting problem to be solved, that is the case of an atheist, who doesn't believe in God. Warrender argues that the highest good here is not just an end that man may set for himself, rather it is a rational one, which could be preferred to the other non-rational evils. Since it is a rational principle and can be discovered by using the reason even the "atheist would choose this end if he reasoned to better effect."

Conclusion:

Understanding of Warrender's main claims of Hobbes's theory of obligation in terms of providing an alternative non-scientific foundation to the political philosophy of Hobbes is as follows. The ground of obligation is the factor or source from which obligatoriness is derived. According to Warrender, it is not the first
principle of natural science, but God. The source of obligation does not come from the deterministic principles of Hobbesian physics, rather it is derived from God. The laws are obligatory as the commands of God. In this way, Warrender denies the credit to natural science in Hobbes and attributes primary position to moral obligation based on the commands of God.

Again, the validating conditions of moral obligation are not the physical principles of natural science, rather they are the rational principles such as the law and its author must be known, to ensure that the law is obeyed. Without the knowledge "what law is" and "who authored the law", it is rationally impossible to obey it. In this way, Warrender gives rationalistic justification, not the naturalistic or scientific, for the validating conditions of moral obligation. Warrender, finally, concludes that the difference between the state-of-nature and the civil society is of 'circumstance' than of 'moral principle'.

Moreover, the very assertion of Warrender that physical obligation does not play any role in the philosophy of Hobbes shows that the role that is played by natural science in the political philosophy is limited. The reason for withholding the physical obligation from the sphere of discussion is that it involves involuntary obedience given to the laws of natural science. It implies that since the obedience that is demanded by the natural science is involuntary, natural science doesn't play any role. Thus, the main arguments of Warrender at least indirectly support the main claim of the thesis and help us to look at him as offering an alternative foundation to the political philosophy of Hobbes.
Thus, Warrender argues that Hobbes's political philosophy rests on the moral obligation. The moral obligation has its basis in the state-of-nature, which is central to the theory of obligation. This theory of obligation pervades in both state-of-nature and civil society. Though there are obligations in the state-of-nature since the validating conditions are sufficiently not satisfied, men proceed to the establishment of the civil society. In the civil society, the sovereign does not create moral obligation, but only interprets the already existing moral laws so as to make them applicable to the everyday instances. This implies that Hobbesian account of moral obligation is independent of the fait of the civil sovereign, and it proceeds from state-of-nature to civil society. Laws-of-nature in the state-of-nature are the main source of obligation, and therefore Hobbes is a natural law philosopher. Thus, Warrender disengages the Hobbesian political philosophy from the natural science by providing a consistent theory of obligation and by disengaging the political obligation.

Chapter V discusses the argument of C.B. Macpherson, who works in finding another alternative foundation to Hobbes's political philosophy.