CHAPTER – II

HOBSESEAN CONCEPTION OF SOCIAL CONTRACT
Eventful incidents in the life of eminent thinkers often help them in dissecting their outlook and philosophical foundations. Thomas Hobbes (1588-1679) is rightly considered to be one of the most significant political thinkers of the English-speaking people. According to Macpherson, Hobbes is a formidable political theorist: "not because he is difficult to understand but because his doctrine is at once so clear, so sweeping, and so disliked."¹ His paramount consideration for order in society emanated largely from his own life resulting in his fear for violent death, and his utmost concern for security, peace and order towards a commodious living. Hobbes openly declared that the sovereign authority should not only protect its people, but also see to it that they can secure, "all other contentment's of life".²

Hobbes had opportunities to associate himself with prominent personalities of England, namely, Ben Johnson, Bacon and Clarenden. The constant conflict between the king and the parliament forced a civil war in England. In fact, Hobbes was very much affected by that civil war. As a supporter of royal absolutism, he went to France and settled there till William II became the king of England. Like other thinkers, Hobbes was also motivated by the socio-political conditions of England of his time. His primary aim was to save England form the disability and miseries caused by the civil war and to bring peace in the society.
For Hobbes, Geometry is the useful model because of its clear deductive reasoning. In addition to that he was influenced by Galileo's technique of investigation, namely, the resolutive composite method. The resolutive part consists in concentrating on essential facts and ignoring extraneous considerations. From simple basic factors, coherent theoretical explanations were constructed. Hobbes applied the same technique of resolutive composite method to political philosophy. He started with the basic problem, that is, civil war in England. Then he probed into the very causes of this civil war in England. The most striking of all the causes is the cause of selfishness. This cause of selfishness made Hobbes construct an axiom according to which all men are basically selfish. This becomes the starting point of Hobbes's social contact theory. According to Hobbes, the root cause of civil war in England can be, without any hesitation, attributed to the selfish nature of man. This root cause of civil war has become an axiom for Hobbesean social contract. If all men were basically selfish, then they would only aim at their own interests. Also, Hobbes held that every individual thinks that he shares the natural propensities of other individuals. Hence no individual is inferior to any other individual in any respect. Such an imagination made individuals completely free, independent, and selfish. They hardly bothered about other individuals and also about the society in which they lived. Therefore, felt Hobbes, a supreme power in the form of an absolute monarch is needed to control these selfish people.
HUMAN NATURE

Hobbes' conception of sovereignty is based on his idea about human nature. Hobbes has made a fundamental departure from his contemporaries by saying that man is essentially nasty, brutish and an uncivilised creature. He made individual, as against society, the spring board of his thought. Before him Plato, Machiavelli, St. Augustine and St. Thomas had developed their philosophies but they made society and not the individual as a unit.

Hobbes concluded that men by birth were equal in intelligence but it is the desire for having the same thing which made them quarrel with one another. Men will never quarrel with one another if they are not willing to get one and the same thing. He believed that competition, glory, and difference make people brutal and quarrelsome. It is an uncontrolled desire of human beings that changed the whole concept of basic principles of the society. His conception of human nature is essentially based on two basic factors. The first one is that all men are equal. In his Leviathan he wrote: "Nature has made men so equal with faculties of body and mind."

Secondly, unlike Machiavelli, he held that man is not an idle spectator in political scenario but always ready to struggle and achieve something higher. To quote Hobbes in this context:

It put forth a general inclination of all mankind a perpetual and restless desire of power after power that ceaseth only in
death. And the cause of this is not always that a man hopes for more incentive delighter than what he has already attained to, or that he cannot be content with a moderate power, but because he cannot assure the power and the means to live well which hath present without the acquisition of more.\footnote{4}

This desire makes men fight with each other. It is the desire which made man nasty and brutish while he was in the state of nature. Hobbes is concerned with secular and self-interested origins of human conduct. According to him, the individual did not base their reasoning about proper behaviour from an understanding of the idea of good or from a revelation of divine commands. Rather, self-interested individuals seek society only as a means to serve their selfish ends. Men are creatures of desires in that pleasures are considered to be good and pains bad. Hence they seek to pursue and maximize their pleasures only to avoid pain. As a matter of fact, every individual thinks that it is his right to pursue his desires that promote pleasure. But they do not realize that this right affects the rights of others. In other words, every individual thinks that he alone legitimately possesses this right. Men are constantly in motion to satisfy their desires and continued success in the attainment and fulfilment of their desire. This is called felicity. Like Aristotle, Hobbes too felt that it is reason that distinguishes man from animals. Man is partly relying on passion and partly on reason. Hobbes remarked: “when a man Reasonth, he does nothing else but conceive
a sum total, from Addition of parcels; or conceive a Remainder, from subtraction of one sum from another.”

Reason, therefore, enables the individual to understand the impressions that the sense organs pick up from the external world and also indicates an awareness of one’s natural passions.

Besides the faculty of knowing, there is a motive power, the power by which the mind gives the animal motion to its body. Motion proceeds from the head to the heart. When it helps the vital motion it is pleasure, when it hinders the motion, it is pain. Pleasure and pain arouse appetite and aversion. Appetite is an endeavour toward something and aversion is an endeavour from something. Some appetites and aversions are born with us (for example, appetite for food), the rest proceed from our day-to-day experience. The ‘appetites’ and ‘aversions’ are basically passions in man. The feeling towards things depends on how conclusive they are in ensuring and maintaining life and is accordingly described as “good” and “evil” by man. The aim of man as dictated by passion is to obtain desired results. Hobbes mentioned a long list of passions, but his special emphasis is on fear, and in particular, the fear for death, and on the universal and perfectly justified quest for power.

Hobbes asserted that men are equal in physical power, and faculties of mind. Hobbes believed that all men have an equal ability, and equal hope of attaining the ends they aspire. He also claimed that men are active because they possess a ‘will’. Hobbes
viewed men as creatures endowed with both reason and passions. While reason is passive, passions are active. Since men are equal and active, the successful among them will have more enemies and rivals and will face the maximum danger. Hobbes proclaimed that men stand to gain nothing from the company of others except pain. Because every individual is a competitor to the akin. A permanent enmity exists between men for honour, riches and authority. Life becomes, as a result, one of potential warfare; “a war of every man against every man.”

According to Hobbes, what pleases a man is called good and whatever displeases him is evil. Since men differ with each other in terms of constitution the concerns for the common distinction between good and evil also differs. Apparently these two statements contradict with each other. On the one hand Hobbes held that all men are equal, but on the other hand he held that men differ with each other in their constitution. But, there is no any kind of contradiction in his theory. To quote Hobbes here:

As that though there be found one man sometimes manifestly stronger in body, or of quicker mind than another; yet when all is reckoned together, the difference between man, and man, is not so considerable, as that one man can thereupon claim to himself any benefit, to which another may not pretend, as well as he. For as to the strength of body, the weakest has enough strength to kill
Even though Hobbes stated that nature has made man so equal with faculties of mind and body, he recognise the difference of constitution in human beings. He clearly stated that even though one is either physically or mentally stronger than another, it does not mean that he is superior to another. In the state of nature, there is no codified law to regulate the activities of human being. There is no universally recognised one to monitor the activities of human beings. So, even the weakest can invade / overtake the strongest person either by secret machination, or by confederacy with other. The nature of the human beings in the state of nature is that they can do anything in order to attain their goal. In such a situation the distinction between right and wrong ceases to exist.

Hobbes built his political philosophy on the psychology of man. He analysed human mind in detail and concluded that human mind is essentially selfish and self-centred. Every individual is only interested in realizing his own pleasures and desires. The self-centred attitude and activities of man forced man to lead a solitary life. There is a continuous struggle among men for power and supremacy. Every individual competes with others in order to excel them by possessing more riches, knowledge and honour. This self-centred and possessive nature of man forced him to live a nasty, brutish and solitary life. To put it in the words of Hobbes:
The felicity of this consists not in the repose of a mind satisfies. For there is no such .... *Summon Bonum* ...... nor can a man any more live, whose desires are at an end, than he, whose senses and imaginations are at a stand. Felicity is a continual progress of the desire, from one object to another; the attaining of the former, being still but the way to the later. The cause whereof is, that the object of mans desire, is not to enjoy once only, and for one instant of time; but to assure for ever, the way of his future. And therefore the voluntary actions, and inclinations of all men, tend, not only to the procuring, but also to the assuring of a contented life; and differ only in the way.  

Hobbes called the search for means to satisfy ones desire power. Further he maintained that since each man's desires are unending, each man wants to become more powerful than his rivals who pursue the same desires (ends). Some commentators show that Hobbes is attributing to human beings an infinite numbers of desires. An attribution that is certainly implausible. But careful consideration of what Hobbes actually meant shows that this is not so. Hobbes maintained that human beings will have desires for objects that promote pleasure as long as they live. Therefore their desires will never cease during their lifetime. Until our last breath we will have certain desires, some of which will concern the acquisition of goods to satisfy our desires that will develop only in the future. Hobbes accorded each person a 'natural right' to search for and appropriate those means that conceivably help him satisfy his desires in the future.
Concerning human desires, Hobbes held, because each person desire more and more, and also believes that he has the right to so many objects, he tries to appropriate the same object, which is desired by the other. But, held Hobbes, because there is rough equality of strength and mental ability among people in this state, no one is ready to acknowledge another's superior strength. Such a state of nature leads to unhealthy and meaningless competition among human beings. Hence, competition is the first cause of conflict. If any two individuals desire the same thing, which nevertheless they cannot both enjoy, they become enemies. In the process of fulfilling each one's desire each one tries to destroy or subdue the other. To put it in the language of Hobbes:

If one sows, plant, build or possesses a convenient seat, others may probably be expected to come prepared with forces united, to disposse, and deprive him, not only of the fruit of his labour, but also of his life, or liberty. And the invader again is in the like danger of another.\(^\text{10}\)

The paradox is due to the fact that what figures the origin of society is a combination of the two parts of an analytic psychology. The raw material from which the society is constructed consists of two elements that are diametrically opposed to each other. First one is primitive desire and aversion, from which arise all impulses and emotions. And the second one is reason, by which action can be
diverted intelligently toward the end of self-preservation. Upon this regulative power of reason depends the transition from the savage and solitary to the civilized and social condition. In the society two things are possible; one is fulfilment of one's own selfish desire and the other is peace. Most of the people face problems when they attempt to attain their selfish desire. Consequently, they begin to divert their concentration from selfish desire to the peace of the society. In fact, the transition is made by the laws of nature, the 'condition of society or of human peace.' These laws of nature state what an ideally rational individual would do if he considered impartially his relation with other men in all their bearing upon his own security. Consequently it is held by Hobbes that:

A law of nature, *lex naturalis*, is peremptory, or a general rule, found out by reason, by which a man is forbidden to do, that, which is destructive of his life, or taketh away the means of preserving the same; and to omit, that, by which the thinketh it may be best preserved.\(^{11}\)

The spring to action, therefore, is still preservation but enlightened by the foresight of all the consequences and this foresights provides the condition by which men can unite and cooperate. The laws of nature are postulates by which Hobbes' rational construction of society is to take place. In substance, all Hobbes' laws amount to peace and cooperation and have a greater utility for self-preservation than violence and general competition, and peace requires mutual
confidence, by the law of man's nature he must endeavour to gain his own security. If he takes this endeavour by his unaided efforts, he may be said to have a 'right' to take. Right, as Hobbes recognized, is a wholly figurative use of the word 'right'; what it really means is an entire absence of right in any legal or moral sense.

STATE OF NATURE

According to Hobbes, men are living in a state of nature which is pre-social and pre-political, because, it is not an organised society and there is no government and no man-made rules. In such a condition, man is totally selfish, egoistic, solitary and an alienated individual. Everyone wants fame and name. So everyone quarrels with each other and becomes competitive in nature. It is like a state of war. Justice and morality are absent; jungle-law prevails, everyone is free to do anything he/she likes. There exists a constant fear of violence and death, and the life of man is very poor, nasty and social order is totally absent.

Hobbes analysis of the state of nature highlighted the following points. (1) The state of nature, according to Hobbes, is both pre-social and pre-political. The life of man in the state of nature is competitive and miserable. Man's life is motivated not by his reason or intellect but by his appetites and desires. (2) In the state of nature there is a war of every man against every man and a
perpetual struggle of all against all. Competition, diffidence and life of glory are the three causes for all the evils in the state of nature. (3)

To the man in the state of nature, law and justice are unknown and there is no sense of right or wrong. There is only a law of jungle where might is right and the fittest survived. Force and fraud play a vital role in the life of man. On these grounds, Hobbes concluded that the life of man is "Solitary, poor, nasty, brutish and short" in the state of nature, as there was only continual fear and danger of violent death. Men in the state of nature know no industry. There is no culture and knowledge; and there is no society at all. There is a law of nature and the essence of it is self-preservation. To preserve ones own self, man enjoys many 'natural rights.' These limitless natural rights cause chaotic conditions. Hobbes recognised that men possess a little reason. This reason taught them the need for mutual continence. At one stage men realised that only by cutting short their natural rights, peace and cooperation could be established. This thought let men to a contract.

The mutual relationship of human beings with one another, according to Hobbes, is nothing but one of mutual suspicion and hostility. Because of the absence of common power there is no law, no justice, and no notions of right and wrong. Force and fraud are the two cardinal virtues. Such a state of war prohibits the possibilities of ensuring the basics of commodious living or civilized pursuits that make life worthwhile and meaningful. As Hobbes put it:
In such condition, there is no place for industry; because the fruit thereof is uncertain: and consequently no culture of the earth; no navigation, nor use of the commodities that may be imported by the sea; no commodious building; no instruments of moving; such things as require much force; no knowledge of the face of the earth; no account of time; no arts; no letters: no society: and which is worst of all, continual fear, and danger of violent death; and the life of man, solitary, poor, nasty, brutish and short.  

Hobbes found three principal causes of quarrel, which lie within the nature of man. Competition, diffidence and glory are the three reasons, as identified by Hobbes, responsible quarrel and rivalry among men. Hobbes held that; “the first, maketh men invade for gain: the second, for Safety; and the third, for Reputation. The first use Violence, to make themselves masters of other men’s persons, … and cattle; the second, to defend them, the third, for trifles…”

Thus he did not attribute the predicament of the natural man to either sin or depravity but to the very nature of man. Thus man is the author of his own ruination. Hobbes denies that the society is natural. What he intended to convey here is that the society is a man made product through contract. On the contrary, men are made fit for the society not by their nature, but by education. According to him, during the time when men lived without a common power to keep them all in awe, they were in that condition which is called a state of war. Such a war is a war of everyman against everyman.
War consists not in battle only or the act of fighting, but in a tract of time, where in the will to contend by the battle is sufficiently known. To quote Hobbes here:

For as the nature of foul weather, lie not in a shower or two of rain; but in an inclination hithereto of many days together; so the nature of war, consisteth not in actual fighting, but in the known disposition thereto, during all the time there is no assurance to the contrary.\(^{15}\)

Nature has given all things to all men, hence right and profit (\textit{jus and utile}) are the same thing. But in the state of nature, every man is striving for power to fulfil their own selfish desires. In such a condition, it is right for everyman to invade another man's right and to resist invasion of his own. It will lead to a state of perpetual war of all against all (\textit{bellum omnium contra omnes}). To quote Hobbes words here:

Because the condition of man is a condition of war of everyone against everyone, in which case everyone is governed by his actions and by his won reason; and there is nothing he can make use of, in preserving his life against his enemies."\(^{16}\)
It follows that in such a condition, every man has right to everything, even to another's body. As long as this condition prevails, there can be no security for any one, how strong one is or wise. In such a state of war nothing can be unjust. The notions of right and wrong, justice and injustice have no place there. Where there is no common power, there is no law, and where there is no law there is no injustice. Force and fraud are in war the cardinal virtues; justice and sufficient might are needed to preserve him for any time. Consequently, his desire for power defeats itself, and creates a state in which the very end he aims at is thwarted. Therefore, injustice and injury are something like absurdity. What has to be voluntarily undone is perpetuated by man voluntarily since the beginning. Self-preservation is the first and foremost aim of every individual. The constant fear and continual danger of violent death in the state of nature did not allow man to attain his aim that is self-preservation. Consequently, men craved for peace and security and decided to put an end to the state of nature. Thus, they entered into a contract among themselves and formed a civil society called commonwealth. This society made their life and property secure.

Hence, reason dictates that there should be a state of peace and that everyman should seek after peace. The first precept of reason, or law of nature\textsuperscript{17} commands self-preservation. In the second he is concern with maximum liberty enjoyed by the individuals, according to which every individual enjoys the liberty as enjoyed by the any other individuals in the state of nature. The purpose here is
to promote peace and security. When he has laid it down, it is his
duty not to make void that voluntary act of his own. A man,
however, transfers his right in consideration of some right
reciprocally transferred to him, or for some other good.
Consequently, no man can be understood to transfer some rights, e.g.
the right of self-defence. He transfers his right to some coercive
power to compel men equally to the performance of their covenants,
to compel men to perform them by the terror of some punishment.
Such a power is not there before the erection of a commonwealth;
hence, where there is no commonwealth there is nothing unjust.
There are other laws, but they can all be subsumed under the
formula: “Do not that to another, which thou wouldest, not have
done to thyself.”

ORIGIN OF CIVIL SOCIETY

Thus, the human condition in the state of nature is very bad. In order
to escape from the existing horrible conditions, men resorted to the
means of a contract to establish a civil society. Through this
contract, everyone surrendered all their natural rights to a sovereign
and thereby established the society, state and government, or
commonwealth. This contract is made by ‘each’ with ‘all’ or with
‘each’ or ‘each individual’ with ‘every other individual’. They
surrendered all their natural rights, except the right to self-
preservation.
Hobbes pointed out that there are two stages which led to the creation of civil society or commonwealth. The first stage is man's realization of the need and necessity of peace. A peaceful life is possible only when man follows certain rules called the laws of nature. The most important law of nature is to seek peace and to avoid ill conditions. The reason says that when there are passions leading to conflict, there must be a means to peace. The second stage is to find and employ a method to establish peace and to eradicate fear. Men understood that the natural rights come in the way of peace and these natural rights are to be surrendered to a sovereign.

THE NATURE OF THE CONTRACT

With the passage of time to discard the life of constant fear men wanted an atmosphere in which their lives and property are secure. The only way to erect a commonwealth and to promote peace is to confer all the power and strength of men upon one man or assembly of men. In such a way, people may reduce all their wills into one will. This is more than consent or a concord. It is a real unity of all in one and the same person made by a covenant. In other words, it is a unity of every man with every man. The multitude so united in one person is called a commonwealth, (cavitas). It is the great Leviathan, the mortal god. This mortal god is a sovereign, and has sovereign power.
Since the first law of nature enjoins the individuals to seek peace, the only way to attain peace is by a covenant that would establish the state. Through a contract, individuals surrender all their powers to a third person, who is not a party to the contract, but the recipient of all the powers of all the individuals that are surrendered. The commonwealth is constituted when the rights or powers of individuals are united in one person. It was to remove constant fear that men thought of surrendering their right to a Lord Protector to whom they wanted to be the custodian of their rights, duties and social justice. They declared:

I Authorise and give up my Right of Governing myself, to this Man, or to this Assembly of men, on this condition, that thou give up thy Right to him, and Authorise all his Actions in like manner. This done the multitude so united in one person is called commonwealth.\(^{19}\)

The only possibility of getting out of the ill condition which is described as the state of war lies in the passions of the individuals. According to Hobbes people have the passions of fear of death, desire for commodious living, and hope of attaining it. These passions compel the individuals to seek peace. At the same time he held that people are endowed with reason. It is reason which makes the people to realise the importance of peace and the way to reach it. The assembly of persons and their social instinct, which motivated
them to come out of this brutish and nasty state of nature to the
civilised society, was the basis of social contract and the origin of
the state.

Each individual has decided to surrender his natural rights or
the power to individual authority. All men agreed to surrender their
rights to a common superior and obey his commands. Each
individual declared that he would authorise and give up his right of
governing himself to this man or to this assembly of men on the
condition that they give the right to him and authorise all his actions.
The common man who received all these natural rights became the
Leviathan, a mortal god. The Leviathan has to ensure peace and
defence to all. Thus a state is created. The Leviathan or sovereign is
the product or result of the contract. He is not a party to the contract.
The sovereign is the supreme power. There are no conditions to bind
the sovereign. The contract once made can never be revoked. Hence,
all individuals have to unconditionally obey the sovereign.
Sovereign being the third person is not subjected to any contract. He
is an artificial person distinct from a natural man. In a way, he is the
creation of the contract. This person is not the common will of all,
which does not exist, but a substitute for the conflicting wills of all
the individuals. It is only through such a substitution, unity is
achieved among the multitudes within the commonwealth. The
contract creates an artefact. Each individual gives up his right of
governing himself provided others do likewise. The sovereign
authority is an artefact, created as a result of the efforts of individual
human wills. It is for this reason that Wayper places Hobbes within the will and artifice tradition, where the state is seen as a mechanical contrivance created for creating and ensuring conveniences and exists as long as the individual’s will exists. To quote Hobbes in this context:

The only way to erect such a common power is, to confer all their power and strength upon one Man, or upon one Assembly of men, that may reduce all their wills, by plurality of voices, unto one will; which is as much to say, to appoint one Man, or Assembly of men, to bearer their Person; and everyone to owned, and acknowledge himself to be Author of whatsoever has that so beareth their Person, shall Act or cause to be Acted, in those things which concerne the Common Peace and Safety; and therein to submit their wills.  

RESULTS OF THE CONTRACT

The contract created the civil society and political authority. It is a contract of everyone with everyone else. It is a social and political contract. The commonwealth can be established both by acquisition and institution. The first method is when one or some men threaten the inhabitants and bring them under his or their control. The second method is when men of their own impulse unite and agree to transfer all their natural powers through a contract to another man or a body of men. The contract is perpetual and irrevocable. The individuals limit their sovereignty voluntarily and create a society.
The sovereign was not a party to this contract because before the contract was made, there was no sovereign. It is only at the time of contract, sovereign came into being. So by the contract, people agreed to obey sovereign but sovereign did not create any law for the people to obey it. The sovereign authority in the state is an artificial creation of the contract. The superiority of the sovereign is the result of the contract, the law is the command of the sovereign and liberty is its gift. In the connotation of Hobbes' notion, contract is only one: it is made among the people themselves and through this contract; there will be an existence of civil society and sovereign (government) power.

The sovereign power may reside in one man or in an assembly of men (monarchy, aristocracy, democracy). But, according to Hobbes, the monarchy is the best form in which the king, the public and private interests are most closely united. The king can act more consistently than a body of men. The sovereign power ought always to be absolute, however placed. Some things, however, the subject may refuse to do. But every subject has liberty in all things the right of which cannot be transferred by the contract.

Hobbes identified six kinds of government. Out of these he supported monarchical form of government. He held that the difference between these three kinds of commonwealth "consisteth not in the difference of power; but in the difference of convenience, or aptitude to produce the peace, and security of the people." He
compares monarchical form of government with other two forms of government. He observed that the monarchical form government better than other forms of the government for the following reasons. First of all, in monarchy, the private interest is same as the public interest. The riches, power, and honour of a king arise from the riches, strength and reputation of his subjects. Kings can never be rich if his subjects are poor. But in democracy, which is corrupt, the public prosperity confers not so much to the private fortune of the subjects.

Secondly, the monarch receives counsel of whom he pleases and consequently may hear the opinion of mean in problematic matters. But when a sovereign assembly needs counsel, none are admitted to advice other than those who have power. Thirdly, the resolution of a monarch is subject to no other inconsistency than that of human nature. But in democracy, there arises an inconsistency from the members of the assembly. Fourthly, a monarch cannot disagree with himself out of envy or interest but an assembly may disagree.

The nature of the sovereign power that Hobbes presented is undivided, unlimited, inalienable and permanent. It may seem that he is defending an absolute state and not of an absolute monarch. However, in reality Hobbes did not make this distinction between the state and government. In fact he was categorical that a single contract creates both the society and government. Nowhere this is
more evident than when he clarified that the resistance against the *Leviathan*, the sovereign power would entail the dissolution of both the political authority and the civil society. He defended absolute state power and preferred a monarchical form of government over other. He did not make any distinction between state and government, and therefore, he indirectly defended absolute monarch. However, his defence of absolute state or monarch is not on the basis of any divine rights but on the basis of contract, mutually agreed to and concluded by the individuals.

The subjects cannot change the form of government, the sovereign power cannot be forfeited, no one can protest against the institution of the common sovereign, declared by the majority. He has the whole right of making rules (legislature), the right of judicature, the right of making war and peace, choosing counsellors and ministers, rewarding and punishing, as well as the right of deciding the doctrines fit to be taught to his subjects. These rights are incommunicable and inseparable. Other rights, the sovereign enjoys includes the power to coin money. The evils that may follow from such an absolute sovereignty are not to be compared with the miseries and horrible calamities of civil war, the dissolute condition of masterless man.

It is true that Hobbes advocated unquestioned obedience to the state. This does not mean that the subjects must tolerate all the activities of the ruler. When the state forces the individuals to kill
him, nor to take food when hungry, nor to take medicine when sick, the individuals have every right to revolt. When the security of life for which the contract is made is in danger, what is the use of the obedience to the state? So, it is clear that in Hobbesian political philosophy the individual’s interest is safe guarded in spite of the *Leviathan*, a mortal god.

Hobbes’ support for absolute sovereignty as the sole remedy for warfare in the natural state is deeply rooted in a powerful ‘logical’ argument for its necessity in a genuine political union. Hobbes opined that if there is a limited power in a well-ordered, ‘perfect’ civil society, it must be replaced by a greater power. If that greater power is in turn limited, then there must exist still a greater power. And the search for the greatest power in such a commonwealth will come to an end only when we come to a power that limits all other power. Thus it has no limits. Such a power is called the sovereign power. In essence, Hobbes is arguing that a government comes into existence only when a ruler with absolute power is instituted.

Hobbes held in chapter 26 of *Leviathan* that all laws whether written or unwritten are in need of interpretation, and the interpretation that any one individual put on these rules is likely to be different from those of other fellows. This is mainly because each individual is self-interested and hence will have a biased judgement about what any of them means. So in a commonwealth in which the
ruler is limited by such rules, the rules will need to be interpreted. The question that arises: who will interpret the rules? If the ruler is permitted to interpret them, then in fact they do not limit him, because he has the power to declare that they mean whatever he wants them to mean as an absolute sovereign. However, if the people are allowed to interpret them, then they will inevitably disagree with one another and with the sovereign about what these rules mean. Then these conflicts cannot be resolved peacefully. Ultimately, the peace of the commonwealth will be destroyed through violent attempts at resolution. This may bring back the original state of nature. So what goes wrong in these commonwealths, according to Hobbes, is that they do not set up one human judge to determine the answer to all disputed issues in the commonwealth.

In order to make Hobbes’ argument for absolute sovereignty intelligible, let us reformulate it in the following manner.

1. Since there exist no commonly interpreted and accepted body of moral laws which can be established through agreement or cooperative practice, there is no set of laws, which can be final or ultimate. This necessitates a decision maker in a state in the form of a human interpreter to be effective in resolving disputes.
2. It is evident that there are individuals or groups in a unified civil society who have the right to decide the issues and who have the power to enforce these decisions.

3. An infinite regress of decision makers and enforcement bodies is impossible.

4. Therefore, there must exist in civil society a person or a group of persons who's right to decide or enforce its decision is unlimited.

5. This person or group is the sovereign.

POWERS OF THE SOVEREIGN

The state embodied in one single individual or an assembly possesses sovereignty or the term used in *De Cive 'dominium*', has the absolute power to enact laws as it deems fit. The power, which is used to enforce these laws, is fully legitimate. The powers and authority of the sovereign must be defined with least ambiguity. The *Leviathan* is the sole source and interpreter of laws. He is the sole interpreter of divine and natural law. Hobbes did not circumscribe the power of the sovereign by placing him under divine and natural laws. The *Leviathan* is not subject to civil laws since he is the sole source of these laws. He is, however, bound by these as long as these are not repealed. The law is regarded as the command of the
sovereign. Therefore no law can be wrong or unjust or immoral. The sovereign is not only an administrator of law but also its enforcer.

The sovereign has the right and the duty to govern and conduct policy, to protect civil society from dissolution, can limit or restrict freedom of expression, opinions and doctrines, can control subjects' property, can resolve all conflicts, has the right of judicature - of hearing and deciding all controversies, has the right of making war and peace with other nations, can choose ministers, counsellors, magistrates, officers both in peace and war. The subjects have no appeal against the will of the sovereign. The will of the sovereign is deemed as proper 'law' or command which is categorical and which must be obeyed. The sovereign not only makes civil laws but is also seen as a concrete expression of the laws of nature. Hobbes is against the division of sovereign authority. The subjects will never have the right to change the form of their government because they are bound to obey a particular sovereign and acknowledge his public acts as their own. Moreover, since the individuals enter into a contract with one another and not with the sovereign power, they can never be freed from the subjection of the sovereign.

The sovereign can do no injury, for he is the representative of the subjects of the state. The subjects of the state have given their authority to their ruler. So, the ruler may commit iniquity, but not
injustice or injury in the proper meaning of the term. The obligation of subjects lasts as long and no longer than the power lasts by which he is able to protect them. The duty of the sovereign consists in the good government of the people; when his acts tend to the heart of the people in general, they are breaches of the law of nature or of the divine law (\textit{salus populi suprema lex}). The person or body of person to whom all other individuals have surrendered their natural rights becomes the government. As the government has received all the rights and powers of the people it becomes the sovereign, absolute power. The sovereign represents the will of all people and hence its actions are as good as the actions of the people. The sovereign represents the will of all the people and hence its actions are as good as the actions of the people. commands unquestioned obedience from all the people. This absolute authority is essential for controlling the anti-social instincts in man.

The sovereignty of the government is indivisible and inseparable. No other power in the state has the right to challenge or punish the sovereign. The sovereign does all the functions of the state namely the \textit{legislative, executive} and \textit{judiciary}. The sovereign alone has the right to decide what is good for the people. Neither an individual nor a power has the right to question the sovereign. Though Hobbes preferred monarchy, he stated that the sovereignty maybe located in an assembly of men. But, Hobbes emphasized that the sovereign whether represented by one man or a body of man, should necessarily be absolute.
The law of sovereign is not a counsel but a command\textsuperscript{23} to be immediately obeyed. The sovereign is authorized to declare war or to conduct peace. The words of the sovereign cannot be questioned or challenged or disobeyed. Hobbesian absolutism does not mean that people have no rights to be enjoyed. The individuals have the rights, which the law of nature grants for self-preservation. No sovereign can force an individual to kill himself. Even after the contract the individuals enjoy the following rights; (1) what the sovereign has permitted, (2) what the sovereign has not prohibited and (3) what is necessary for self-preservation. Strictly speaking, what is granted by the sovereign by his mercy cannot be considered as rights. They are only privileges. The sovereign grants these privileges in his own interest.

The \textit{Leviathan} or sovereign is created by the social contract. This sovereign either as an individual or a body of individuals attempts for the peaceful life of all. The Leviathan is both the lawmaker and law interpreter. Whatever the sovereign commands is law. No one is allowed to disobey. Neither the law of nature nor the law of god can challenge the power of Leviate. There is only one limitation to the absolute powers of the sovereign. As it is the duty of the sovereign to protect the life of individuals, the sovereign cannot command an individual to kill himself. Except this limitation, the sovereign enjoys unlimited powers. There is no power above the sovereign to punish him.
According to the terms of contract, the individuals have no right to disobey or to rebel against the Leviathan. Disobedience in any form is considered to be contrary to the validity of the contract. The sovereign is the product of the contract and not a party to contract; the sovereign has not surrendered his natural rights. Hence the sovereign becomes the most powerful agency. The sovereign might not be created by all. A minority might not have voted for the sovereign, simply because they are not party in the contract. The minority cannot disobey the sovereign, simply because it is not created by the minority. The majority will use the right of war and force the minority to obey the sovereign. What the majority has chosen the minority has to accept it. Otherwise the minority will be forced to accept it. Hence, neither an ‘individual’ nor a group of people can disobey the sovereign under any circumstance. For the sake of self-preservation only the individuals surrender their natural rights to one person or an assembly of person and make it sovereign. The individuals surrender their rights and create the sovereign with the soul aim that their life and property will be protected. Thus the self-preservation of the individual becomes the basis of the Hobbesian political philosophy. There is no question of general good or public welfare.
RIGHT TO RESISTANCE

There is only one limitation on the absolute powers of the sovereign; the right of self-preservation that remains an absolute right of the individual. The sovereign cannot command a man to kill himself for life is a gift by nature to man. This right remains an indefensible right of the individuals since the basic motive for total surrender of their powers is self-preservation. If the sovereign fails to protect the individual, the latter has the right to resist the sovereign. If the resistance is successful, the sovereign ceases to be a sovereign and men become independent individuals. The individuals would return back to the state of nature where they have no sovereign power to acknowledge and are free to obey a defacto monarch.

The minority cannot resist the sovereign on the grounds that the majority has chosen the sovereign. Thus, the minority has to obey the rules and regulations of the sovereign. According to Hobbes, there can be no resistance against tyrannical sovereign because the god would only punish the unjust rulers. In other words, god alone has the right to punish the unjust rulers, but not the subjects because the sovereign, the ruler, is not a member of the contract. Resistance is justified only when the sovereign seeks to destroy the individual directly and not when the individual seeks to destroy others. Hobbes asserted that the sovereign is a representative
of and is constituted by the individuals. The sovereign derives his or its powers from the individuals.

Hobbes offered a number of reasons as to why the sovereign should be obeyed by the individuals. First of all, there is purely a prudential consideration that if they disobey the sovereign, they would be punished. Secondly, there is the moral consideration that they must honour their contracts provided others do so. The *Leviathan* ensures that all parties adhere to the terms of the covenant. Thirdly, there is the political consideration that the sovereign is their duly authorized representative; the citizens of the *Leviathan* state authorize him to act on their behalf. Finally, Hobbes offered a religious argument when he asserted that the civil law and the law of nature are one. Both should be obeyed as if they imply commands of God.

**Liberty**

Liberty is defined as what ever the law permits and where ever the law is silent. Though he grants that the state cannot enquire into private beliefs and that conscience is beyond the rich of the *Leviathan*, but the *Leviathan* can command the individual to perform ceremonies whatever the public worship of the state dictates. The limits to the state actions can also be seems from Hobbes’ assertion on property. Although in principle the sovereign can do anything,
including rights over the private property, in Hobbes’ opinion there should not be undue interference in subjects’ private affairs such as economic activity. The individuals have the “liberty to buy, and sell, and otherwise contract with one another.”

REACTIONS AGAINST HOBBESEAN SOCIAL CONTRACT

Even though Hobbes gave so much importance to sovereign, he realised the importance of individual rights. Still, the danger of Hobbes’ social contract theory is that the so-called individual rights are not safeguarded. Hobbes stated that when the state forces the individual to take out his own life, not to take food when hungry, not to take medicine when sick, the individual have every right to revolt. When the security of life for which the contract is made is in danger, what is the use of the obedience to the state? So, it is clear that in Hobbesian political philosophy the individual’s interest is safe guarded in spite of the Leviathan, a mortal god. But at the same time he stated that the sovereign is not a member of the social contract. He is only loyal to God. So, whatever he does can be justifiable.

Secondly, citizen can never be able to claim the property or food or anything that is enjoyed by the ruler. So, hierarchy becomes inevitable. Hobbes clearly stated that the purpose of the social contract is to safe guard the individual’s rights. If the security of life for which the contract is made is in danger, what is the use of the
obedience to the state? In such a condition the people have ever right to revolt against the ruler. At the same time, like Aristotle, he stated that the revolution must be by majority, but not by minority. Aristotle stated that the revolution would not be by minority. At the same time, the revolution would be originated in the minds of minority. So, it is the duty of the minority to propagate such an idea to majority through proper channel.

Aristotle supported the revolution by majority. He was against the revolution led by minority. He further stated that even though the revolutionary ideas originate in the minds of minority, it is the duty of the minority to propagate such revolutionary ideas among the majority and make the revolution a majority act. Like Aristotle, Hobbes stated that the minority does not have any power to resist the power of the sovereign. If the ruler goes against the welfare of the people only for which the contract is made, people have the right to revolt. In Aristotelian point of view, revolution would not be possible in a short period. It will take a long period. The ruler may at any time become a tyrant and revolution is the only way to over throw the ruler and it would take a long time. If it is so, then people have to tolerate the brutish activities of the tyrant until the revolution is successful. In such a condition the rights of people would be in danger. On the basis of these ideas John Locke developed his social contract theory.
In fact, Hobbes proposed unlimited sovereignty to the monarch. According to him, absolute monarchy can save the then England from anarchy and its disastrous consequences. Then he strongly defended individualism. This results in a contradiction. Hobbes asserted that the individuals must surrender unconditionally all their rights to the *Leviathan*. Contrary to this view, Hobbes gave importance to individual liberty and freedom. It is clear from Hobbes' account of social contract that the state came into existence due to the mutual contract among the individuals. What could be deduced from the above analysis is that state exists for the individuals, but not vice versa. It is in this context that we can explain the role of intrinsic, functional, and interactive properties of human beings. What are intrinsic in each and every individual are his or her natural propensities. In order to protect the natural propensities of the individuals, which are intrinsic in nature, both functional and interactive properties are required. The interactive properties make men enter into a contract to surrender their rights to a monarch who becomes functional to protect the interests of his subjects.

Some critics commented that Hobbes' description of man's life before and after the contract is quite opposite. Such a transformation is unimaginable. Hobbes stated that there are two principles in human beings, namely, desire and reason. The first principle, desire, motivates men to take for themselves what other men want. Thus it generates competition among the individuals.
While reason teaches them to ‘fly a contra natural dissolution.’ What reason adds is not a new motive but a regulative power or foresight, by which the pursuit of security becomes more effective without ceasing to follow the general rule of self-preservation. It is only because of reason; the people realize the importance of security and peace. There is a hasty acquisitiveness, which begets antagonism and a more calculating selfishness, which brings man into society.

Some commentators argued that Hobbesian unilateral contract is binding only the ruled but not the rulers. There is another theory, namely, bilateral theory that is binding both rulers and the ruled. For example, in any form of democracy the government controls and monitors the activities of its subjects. Similarly, the government is also controlled and monitored by the ruled in any democracy. Thus there are checks and balances on both the sides. Hobbes’ view is also criticized on the ground that he did not make a distinction between state and government. The dissolution of government leads to the dissolution of the state. Critics attempted to evaluate Hobbes’ view with their experience or knowledge of the present form of governments. This argument is invalid one. Leviathan is the reflection of his bitter experience of the society in which he lived. During his period, the monarchical form of government was in rule and he was the supporter of the absolute sovereignty. From this we can easily conclude that he preferred monarchical form of absolute government to any other form.
In the monarchical form of government, the distinction between state and government is not clearly made. This distinction is very clear in modern times. Every state has a form of government. Even if the government is dissolved, the state does not get dissolved along with the government. The term state refers to a particular clearly demarcated geographical area with certain judiciary, legislative, and executive councils.

Although Hobbes recognized the natural rights of the individuals, they are not, strictly speaking, the rights that uphold the human dignity. The natural rights proposed by him only guarantee the security for life and property, but not equality and fraternity. Locke tried to improve upon the social contract proposed by Hobbes with some fundamental changes in his doctrine of social contact.
Notes and References


3. Ibid., chapter xiii, p.141.

4. Ibid., chapter xi, p.123.

5. Ibid., chapter v, p.81.

6. Ibid., chapter xiii, p.143.

7. Ibid., p.141.

8. Ibid., chapter xvii, p.174.

9. This expression is used in a parochial or pejorative sense.


11. Ibid., chapter xiv, p.146.

12. Ibid., chapter xiii, p.143

13. Ibid.

14. Ibid.

15. Ibid.

16. Ibid., chapter xvi, p.146.

17. Hobbes used the expressions *natural laws* and *laws of nature* as synonyms. It is in the chapter on *Natural Laws*; Hobbes discussed seven types of laws of nature, which make men to enter into a contract among them.

22. Hobbes discussed six forms of government. But he compared monarchy with other two forms of government namely Aristocracy and democracy. For he hold that tyranny, oligarchy, and anarchy are not the names of the other forms of government, but of the same forms disliked.

23. Hobbes made distinction between counsel and command. According to him, 'command is, where a man saith, \textit{do this, or do not this}, without expecting other reason than the will of him that says it. Counsel, is where a man saith, \textit{do or do not this}, and deduceth his reasons from the benefit that arriveth by it to him to whom he saith it.' \textit{Leviathan}, chapter-xxv) The difference between command and counsel is that the former is directed to a man's own benefit, whereas the latter is to the benefit of another man.