CHAPTER : IV

The Laws of Nature

In *Leviathan*, Hobbes presents us with the following definition of a law of nature:

"A Law of Nature, lex naturalis, is a precept or 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 he thinketh, it may be best preserved."\(^1\) To bring out the formal aspects of this account, we must turn again to Hobbes's earlier writings, where the connection with reason is explained:

"But since all do grant, that is done by right, which is not done against reason, we ought to judge those...

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\(^1\) *Leviathan* ; op.cit., Ch.XIV, p.66.
actions only wrong, which are repugnant to right reason, that is, which contradict some certain truth collected by right reasoning from true principles. But that which is done wrong, we say it is done against some law. Therefore true reason is a certain law; which, since it is no less a part of human nature, than any other faculty or affection of the mind, is also termed natural. Therefore, the law of nature, that I may define it, is the dictate of right reason, conversant about those things which are either to be done or omitted for the constant preservation of life and members, as much as in us lies.\(^2\):

The laws of nature are rational precepts, laying down what reason requires, rather than merely permits. Or put another way, what is contrary to the laws of nature is what is contrary to reason.

To speak of these precepts as laws would seem, from

\(^2\textit{De Cive};\) op.cit., Ch.II, p.52.

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the passage quoted from *De Cive*, to be only to say that action against them would be wrong. Since "wrong" means only "repugnant to right reason", the simple conclusion would be that the laws of nature are precepts laying down the requirements of "right reason". This is the formal definition of a law of nature.

The material definition of a law of nature follows directly from Hobbes's own account, although it could also be constructed from the formal definition, by substituting for "the requirements of right reason", a phrase indicating the actual content of those requirements. To state it otherwise, the laws of nature are equivalent to precepts laying down what is required for preservation.

A law of nature is different from the right of nature. The right of nature is what we may do, what we are at liberty to do, in order to preserve our lives. On

\[\text{\textsuperscript{3}} \text{Ibid.}\]
the other hand, a law of nature states an obligation or a precept or rule; it tells us what we should do, what we are obliged to do, in order to preserve our lives. To use the language that was later to be introduced in ethical theory by Immanuel Kant, a law of nature is a hypothetical assertoric imperative; is a rule prescribing the means necessary to an end we all desire, viz., our preservation.

The laws of nature are prudential obligations. To go against a law of nature is irrational in the sense of being imprudent. It is irrational in that it goes against a conclusion of prudential reasoning.

Further, there is no point in a man's obeying the laws of nature, unless others are going to do the same. "For he that should be modest, and tractable, and performe all he promises, in such time and place, when no man else should do so, should but make himself a prey to others, and procure his own certain ruine, contrary to the ground of all Lawes of Nature, which tend to Nature's
preservation."⁴ Hobbes's doctrine, then, is that we should all desire to live at peace with our neighbours. "The Lawes of Nature oblige in foro interno; that is to say, they bind to a desire they should take place."⁵ Therefore, it would be reckless madness to bind oneself to actions according to the laws of nature without a guarantee that other men will also be bound.

Though Hobbes does call the laws of nature commands of God, he also makes it clear that God requires nothing of men which they would not require of each other if there were no God. Atheists, no less than other men, can discover that the laws of nature are rules which should be generally observed—in every man’s interest—and they have as powerful a motive for creating the conditions in which it is most likely that they will be observed. In the opinion of Hobbes, the function of rules, the senses in which men are obliged to observe them, and their

⁴ Leviathan ; op.cit., Ch.XV, p.82.
⁵ Ibid.
motive for observing them, remain the same whether or not there is a God who intervenes in human affairs. God is an 'unnecessary hypothesis' to Hobbes's argument. Nevertheless, though Hobbes does not provide us with a political theory free of theology, there is nothing essential missing analytically when the theology is withdrawn.

The content of the laws of nature is Hobbes's positive moral doctrine. These precepts, derived from his account of human nature, lay down what is necessary if man is to achieve, as far as is possible, his principle end—his own preservation, and with it, his well-being. Therefore, "The Laws of Nature are Immutable and Eternal: For Injustice, Ingratitude, Arrogance, Pride, Iniquity, Acception of Persons, and the rest can never be made lawfull. For it can never be that Warre shall preserve life and Peace destroy it".8

8 Ibid., Ch.XV, p.82.
The fundamental law of nature is "that every man ought to endeavour peace, as far as he has hope of obtaining it" or more simply, it is "to seek peace, and follow it".  

Therefore, the first law of nature is to seek peace. This law is the most general conclusion that man derives from his experience of "the war of all against all".  

Clearly, it depends on that experience, whether real or imagined. Although, hypothetically, a man might conclude that war is necessarily inimical to human life, only an analysis of the human condition with all social bonds removed shows that peace is the primary requisite for preservation.

This precept tells us what to do, to better our chances of survival. It does not, then, limit our right of nature, but rather prescribes how to employ that right. Any action against this precept can consist only

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7 Ibid. Ch.XIV, p.67.
8 Ibid., Ch.XIII, p.64.
in seeking war, rather than peace, and Hobbes insists that no one "esteems a war of all against all......to be good for him", and that "every man by natural necessity, desires that which is good for him". It follows that no man, or no sane man, wittingly violates this precept, in so far as he understands it.

The particular methods whereby we may carry out the first and fundamental law of nature, namely, to seek peace, are listed by Hobbes as further laws of nature; they are means to peace, which is itself a means to self-preservation.

Thus, from the fundamental law of nature, by which men are commanded to endeavour peace, is derived this second law "that a man be willing, when others are so too, as far-forth, as for peace, and defence of himself he shall think it necessary, to lay down this right to all things; and be contented with so much liberty against

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other men, as he would allow other men against himself".  

Hobbes explains that for as long as every man retains his right of doing whatever he judges necessary for his preservation, men remain collectively in a state of war. But, at the same time, if one man lays down his right to all things, others must reciprocate in a similar manner. Otherwise, there is no rationale for divesting a man of his right, for that would be exposing himself to danger, rather than disposing himself to peace.

A man's "right to all things" is laid down, either by simply renouncing it, or by transferring it to another. When a man "renounces" this right, he is not bothered by considerations of whom the renunciation may benefit. Whereas, when a man "transfers" this right, he intends some person, or persons, to be benefitted by the act. However, whether a man transfers his "right to

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10 Leviathan; op.cit., Ch.XIV, p.67.
11 Ibid. Ch.XIV, p.67.
all things" or renounces it, he does expect some right to be reciprocally transferred to himself, "or for some other good he hopeth for thereby".\textsuperscript{12} After all, the act of "renunciation" or "transfer" of a right is a voluntary act, and Hobbes has already clarified that "of the voluntary acts of every man, the object is some good to himself".\textsuperscript{13} The "good" in this case, or the motive, and end for which this renouncing and transferring of right takes place, is nothing but "the security of a man's person, in his life, and in the means of so preserving life, as not to be weary of it".\textsuperscript{14} The mutual transferring of man's "right to all things" for the ultimate objective of peace and security to all persons is known as "Contract".\textsuperscript{15} Again, one of the contractors, may do the thing contracted for on his part and leave the

\textsuperscript{12} Ibid, p.68.
\textsuperscript{13} Ibid.
\textsuperscript{14} Ibid.
\textsuperscript{15} Ibid., Ch.XIV, p.68.
other to perform his part at some determinate time thereafter; and in the meantime be trusted; and then the contract on his part is called "pact" or "Covenant". 16

If a covenant be made, wherein neither of the parties perform presently, but trust one another in the condition of the "war of every man against every man", 17 it is null and void. But if there be a common power set over them both, commanding the right and the force sufficient to compel performance, the covenant is not void. This is so because he who performs first has no assurance that the other will perform thereafter. The passions of man are too strong to be contained by words alone, without the fear of some supreme coercive power. Such a power cannot be set up in the condition of nature, where all men are supposed to be equal in their abilities and strength. Further, there can be no covenant without

16 Ibid, p.69.
17 Ibid., Ch.XIII, p.64.
"mutual acceptation". Hence, it is not possible to make covenants with brute beasts, because they are not capable of realizing or mutually accepting the translation of right. To covenant is an act of the will, the last act of deliberation. The parties to a covenant mutually promise to perform that which is understood to be possible for them to perform.

The second law of nature, then, provides the rationale for laying down some part of the initially unlimited right of nature, which is to say, for taking on certain obligations. Like the first law, it is a rational precept, telling us how best to secure our preservation. It states that as a condition of peace, every man must limit his own right of nature in certain respects, provided others do so, too. In this way, it does indirectly provide for limitations on the right of nature, by imposing on us the rational requirement that

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18 Ibid., Ch.XIV, p.71.
we directly limit our right. Hence, it is a rational doctrine for self-interested, secular, rational men.

While the second law of nature obliges men to grant away such rights, which, if retained, hinder peace and security; the third law adds that keeping covenants is necessary to peace and security. The third law of nature is this "That men performe their Covenants made". 19 Hobbes defends the law on this interpretation in his discussion of it in De Cive:

"For it hath been showed in the foregoing chapter, that the law of nature commands every man, as a thing necessary to obtain peace, to convey certain rights from each to other; and that this is called a contract. But this is so far forth only conducible to peace, as we shall perform ourselves what we contract with others shall be done, or omitted; and in vain would contracts be made, unless we stood to them. Because therefore to stand

19 Ibid., Ch.XV, p.74.
to our covenants, or to keep faith is a thing necessary for the obtaining of peace; it will prove...to be a precept of the natural law."\(^{20}\)

Hobbes has good reason for introducing this law. Formally interpreted, it reinforces the claim that covenants oblige of themselves. Materially interpreted, it affirms that keeping covenants, as well as making them, is a condition of peace and so, of preservation. The third law of nature is further significant because it embodies the "fountain and original of justice".\(^{21}\) As long as no covenant is made, no right is transferred, and every man has a right to everything. In such a condition, no action can be unjust. But once a covenant is made, any violation of it is unjust. Thus, Hobbes defines injustice as "the non performance of covenant". An action which does not amount to a breaking of the covenant cannot be termed as an unjust action, and "whatsoever is not

\(^{20}\) *De Cive*; op.cit., Ch.III, p.62.

\(^{21}\) *Leviathan*; op.cit., Ch.XV, p.74.
Hobbes enumerates several further laws of nature—sixteen, to be exact, in *Leviathan*—most of which make no substantial contribution to his political doctrine. We may, however, note the ninth and tenth laws which impose, as conditions of peace, that men acknowledge each other as equals, and accept equal rights in establishing conditions of peace. The man who demands more for himself than he allows to others is arrogant. The arrogant man does not violate his obligations; instead, he refuses to accept obligations which he insists others must accept as conditions of peace. In this way, he prevents the attainment of peace, and so, although he is not unjust, as an enemy to peace, he may be killed by others—without injustice.

After listing those laws of nature which are conditions of peace and "which are means of the

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22 Ibid.
conservation of men in multitudes" and which constitute a "Civil Society";\textsuperscript{23} Hobbes mentions "other things tending to the destruction of particular men; as drunkenness; and all other parts of intemperance; which may therefore also be reckoned amongst those things which the law of nature hath forbidden;"\textsuperscript{24} but which are not pertinent enough to be mentioned, nor do they play any significant role in Hobbes's political theory. Perhaps they may be labelled as rules of personal prudence.

The laws of nature are prescriptions of reason, and a purely or mainly rational being would follow them; but men are not purely or mainly rational. Although they can understand what would be the wise or prudent thing to do, their actions are chiefly motivated by passion. Consequently, one cannot rely on another to keep his part of a bargain, unless his passions are involved, and this can be brought about by working on his fear. He has to be

\textsuperscript{23} Ibid., Ch.XV, p.81.
\textsuperscript{24} Ibid.
made afraid of the consequences of breaking his promise. So the proposed system of mutual covenants must be backed by sanctions, by force. "For the laws of nature, ... of themselves, without the terror of some Power, to cause them to be observed, are contrary to our natural passions, that carry us to Partiality, Pride, Revenge and the like. And Covenants, without the Sword, are but Words, and of no strength to secure a man at all. Therefore, notwithstanding the laws of nature......if there be no power erected, or not great enough for our security; every man will, and may lawfully, rely on his own strength and act, for caution, against all other men."25

Thus the proposed system of mutual covenants must include the granting of supreme authority to a common power. This is done when men enter into a social contract, whereby each of them promises not just to

25 Ibid., Ch.XVII, p.87.
refrain from exercising their natural rights, but also to
set up and obey a common power that will force them to
refrain from exercising those rights. The only way to
erect such a common power who will secure them in such a
way that they may live in peace and contentment, "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 as
to say, to appoint one Man, or Assembly of Men, to bear
their person: and every one to owne, and acknowledge
himself to be Author of whatsoever he that so beareth
their Person shall Act, or cause to be Acted in those
things which concern the Common Peace and Safety; every
one to his will, and their Judgements, to his
Judgement". 26

Accordingly, we can imagine people contracting
together in some such terms as follows. Each man promises

26 Ibid., Ch.XVII, p.89.
to give up his natural right to do as he pleases and to act only as he is commanded or allowed by a specified person or assembly of persons, subject to the condition that every other man promises the same thing. In *De Cive*, Hobbes explains how each man makes a conditional donation of right to a third party: "I convey my right on this party, upon condition that you pass yours to the same."\(^{27}\) The result of this is that "each one of them obligeth himself by contract to every one of the rest, not to resist the will of the one man, or council, to which he hath submitted himself".\(^{28}\) Such a contract is giving authority to the man (or assembly of men) who is made the sovereign. As a party to the contract, every man promises that whatsoever the sovereign wills shall be his will, so that each becomes the "author" of what his sovereign or representative does in his name. Thus the multitude of men do agree, and "Covenant, every one with

\(^{27}\) *De Cive*; op.cit., Ch.VI, p.105.

\(^{28}\) Ibid. Ch.V, p.88.
"every one" and "authorize all the Actions and Judgements, of that Man, or Assembly of Men, in the same manner, as if they were his own, to the end, to live peaceably amongst themselves, and be protected against other men".29

Thus, hereafter, the multitude which is united and represented by one person is called a "Commonwealth", in Latin, Civitas. The ultimate unifying force and the repository of the rights of all men is the "Leviathan"; he is the mortal God, subject only to the immortal God. He is authorized by every man in the Commonwealth to use the "power and strength"30 so conferred upon him to secure their peace and defence. Thus, "he is said to have sovereign power, and everyone besides, his subjects".31 He personifies the essence of the Commonwealth.

Hobbes defines him as "One Person, of whose Acts a

29 Leviathan; op.cit., Ch.XVII, p.89.
30 Ibid.
31 Ibid., p.90.
great Multitude, by mutual covenants one with another, have made themselves every one the Author, to the end he may use the strength and means of them all, as he shall think expedient; for their Peace and Common Defence”.

This Hobbes calls the origin of a political Commonwealth or a Commonwealth by institution.

In a Commonwealth by acquisition, those who are in the power of some other (e.g., the victor in war) promise to obey him in order that he may spare their lives “......as when a man maketh his children to submit themselves, and their children to his government, as being able to destroy them if they refuse; or by Warre subdueth his enemies to his will, giving them their lives on that condition”.

Therefore, Hobbes calls a state set up voluntarily, by social contract, a "Commonwealth by institution", and one set up by natural force, by conquest, he calls a

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32 Ibid.
33 Ibid.

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"Commonwealth by acquisition". Hobbes deals first with Commonwealth by institution and explains this in great detail. This is not because he thinks that states have in practice arisen by institution. He knows that most, if not all, states have come into being as the result of conquest. But he deals first, and most elaborately, with Commonwealth by institution because this allows him to bring out the logical implications of what it is to be the subject of a state. "From this Institution of a Commonwealth are derived all the Rights and Faculties of him, or them, on whom the Sovereign Power is conferred by the consent of the People assembled."34 Hobbes goes on to argue, however, that the logical position is exactly the same irrespective of whether a state has arisen by contract or by conquest. He begins with an instituted Commonwealth because it happens to be easier to see the logical position in the case of contract and then to

34 Ibid., Ch.XVIII, p.90.
observe that the same thing applies to a state set up by conquest.

It is important to note that the sovereign himself is not a party to the covenant. "That he which is made Sovereign maketh no Covenant with his Subjects beforehand, is manifest."35 Since the sovereign does not make a covenant with his subjects, he is not bound by any contractual obligations towards his subjects. The sovereign is subject to the laws of nature, as any man independently of the social contract; but this means that the duties of the sovereign are hypothetical or prudential. It is his duty to keep the peace and to do all things that are necessary to maintain security; this is because a failure to do so will mean a reversion to the state of war, which he does not want any more than his subjects do. But the sovereign has no obligations which must necessarily be fulfilled. He retains the full

35 Ibid., p.93.
measure of natural right; he is to have absolute authority.

In the state of nature, each man interprets the laws of nature for himself; but now, it is for the sovereign alone to interpret those laws. This is the sense in which, for Hobbes, the laws of nature and the civil law contain one another. Hobbes's definition of civil law is as follows: "The Sovereign has the whole power prescribing the Rules, whereby every man may know, what Goods he may enjoy, and what Actions he may do, without being molested by any of his fellow Subjects: And this is it men call Propriety. For before constitution of Sovereign Power (as hath already been shown) all men had right to all things; which necessarily causeth Warre and therefore this Proprietie, being necessary to Peace, and depending on Sovereign Power, is the Act of that Power, in order to the public peace. These rules of Propriety....and of Good, Evil, Lawful and Unlawful in the actions of Subjects, are the Civil Laws; that is to
say, the Laws of each Commonwealth in particular". Subjects are committed by covenant to accept the sovereign as the only interpreter of natural law, and are, therefore, bound to treat all his laws as if they were in keeping with that law. Men must never use the laws of nature as an excuse for not obeying the civil law. For them to make such use of it is unreasonable because it frustrates their purpose in instituting a sovereign or submitting to one. That purpose was to achieve peace and the condition of peace is that there should be only one interpreter, maker and enforcer of law. Law, therefore, is the command of the sovereign, who is thereby not subject to it, and whose present will is the sole source of its validity, as his intention in framing it is the sole criterion for its interpretation.

Hobbes emphasizes that the sovereign shall declare what shall be right for his subjects. For if it is the

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36 Leviathan; op.cit., Ch.XVIII, p.93.
right of each man and every individual to decide for himself what is to be and what is not to be according to the laws of nature, he must decide for himself when he is and when he is not to obey the laws of the state, and if the state is to respect his decisions, any perverse individual may hold up the government.

Hobbes is well aware of all these dangers to the modern state. He is, therefore, earnest in his account of the laws of nature to insist that the laws of nature are only binding when they are also the commands of the sovereign. There must be some authority to declare among the diversity of men's opinions, what is right and what is wrong in accordance with the laws of nature. If that authority be other than the sovereign, there will be conflict between it and the sovereign, leading to a state of anarchy once again.

The sovereign must have all the authority he needs to carry out his high office, which is to maintain peace; and must, therefore, have a monopoly of it, for if anyone
else has any, he may use it against the sovereign and so disturb the peace. "And because the End of this Institution, is the Peace and Defence of them all; and whosoever has right to the End, has right to the Means; it belongeth of Right to whatsoever Man, or Assembly that hath the sovereignty, to be Judge both of the means of Peace and Defence; and also of the hindrances, and disturbances of the same; and to do whatsoever he shall think necessary to be done, both beforehand, for the preservation of Peace and Security." 37 Nothing, no matter how long established, binds the sovereign if it curtails the full reach of power needed to keep the peace. There must be no sharing of supreme authority among several, though, of course, the sovereign must act through subordinates. These subordinates, therefore, have some authority; but they have it only as his agents. The sovereign has the responsibility of "choosing of all

37 *Leviathan* ; op.cit., Ch.XVIII, p.93.
Counsellors, Ministers, Magistrates, and Officers, both in Peace and War."\textsuperscript{38} They have only the authority he chooses to give them for as long as he chooses that they shall have it.

Since the subjects have, of their own, authorized all actions and judgements of the sovereign, it follows that the sovereign cannot be accused of causing injury to any of his subjects, for that would amount to a self-accusation on the part of the subjects. By this institution of a Commonwealth, "every particular man is author of all the sovereign doth; and consequently he that complaineth of injury from his sovereign, complaineth of that whereof he himself is Author, and therefore ought not to accuse any man but himself; and to do injury to one's self is impossible".\textsuperscript{39} Therefore, the Sovereign who is, after all, human, may commit iniquities, but not injury in the proper sense of the

\textsuperscript{38} Ibid., p.94.
\textsuperscript{39} Ibid.
word. Moreover, justice is the keeping of covenant, and injustice is the breach of covenant in any form, and since the sovereign has not made any covenant to obey the civil laws, as his subjects have, he cannot be said to break those laws or thereby to act unjustly.

Since all authority belongs to the sovereign, there can be no spiritual authority, no church, independent of him. State and church are but one community, and a community is made one by having one sovereign, one man or assembly by whom or in whose name or by whose permission all authority is exercised in it. A Christian church and a Christian state are one and the same body; of that body, the sovereign is the head. The sovereign has, therefore, the right to interpret scripture, to decide religious disputes and to determine the form of public worship. Thus, there is to be no possibility of conflict between the demands of God and of the political sovereign. Temporal and spiritual government are not exclusive concepts. Since men owe it to God to obey His
law, they also owe it to Him to keep the agreement which makes it possible for them to obey it. They obey God when they obey the sovereign. If the sovereign misinterprets God's law, he is responsible to God alone for his act; for, if he were responsible to his subjects, they would have retained their right to interpret God's law, a right which they had to abandon in order to get peace.

Men's opinions are affected by what is taught and said around them, and their actions proceed from their opinions as well as their desires. Therefore, the sovereign, if he is to maintain the peace, must have authority to forbid the teaching and publishing of dangerous beliefs and to require the teaching of beliefs conducive to order, and it is for him alone or those authorized by him to decide what those beliefs are. Thus, the Sovereign must be the "Judge of what Opinions and Doctrines are averse, and what conducing to Peace,......For the Actions of men proceed from their Opinions; and in the well governing of Opinions,
consisteth the well governing of men's Actions, in order to their Peace and Concord."40 Further, only those doctrines which are conducive to peace and order may be regarded as True. "For Doctrine repugnant to Peace, can no more be True, than Peace and Concord can be against the Law of Nature."41

Moreover, no subject has a right, for conscience sake, to publish beliefs proscribed by the sovereign, for a man's conscience is his private judgement, and he is bound by the covenant not to set his judgement above that of the sovereign.

Though he cannot, at the bidding of the sovereign, cease to believe what he believes, he can and ought to refrain from publishing his beliefs and seeking to convert others to them. Thus, the Sovereign is constituted the Judge of all "Opinions and Doctrines, as a thing necessary to Peace, thereby to prevent Discord nd

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40 Leviathan; op.cit., Ch.XVIII, p.93.
41 Ibid.
Civil War". The sovereign, in addition, has "the Right of Judicature", that is, of hearing and determining all disputes and conflicts in accordance with the civil laws already formulated by him.

"For without the decision of controversies, there is no protection of one Subject, against the injuries of another." In the absence of a supreme judicial authority who would decide and resolve individual conflicts, every man "from the natural and necessary appetite of his own conservation" would reserve the right to protect himself against an offender by his own private strength; this, again, would lead to "the condition of war" which contradicts the very objective of instituting a Commonwealth. Further, the Sovereign will have the power to reward a subject, with riches or honour; as well as to punish a subject, with corporal or pecuniary

42 Ibid.
43 Ibid., Ch.XVIII, pp.93-94.
punishment, according to the prevailing civil laws. If there is no law concerning a particular matter, the Sovereign shall judge in such manner as he may consider conducive "to the encouraging of men to serve the commonwealth, or deterring of them from doing disservice to the same".\textsuperscript{44}

Property is the creature of law, which is the command of the sovereign. Therefore, subjects have no rights of property which the sovereign, as the sole legislator and enforcer of law, may not touch. Further, the sovereign alone may bestow all titles of Honour, and may determine what "Order" of place and dignity each man shall hold; and what signs of respect are due to them in public and private meetings.\textsuperscript{45}

Further, the sovereign has the right of declaring war or peace with other nations, and Commonwealths, according to his judgement of how best to serve the

\textsuperscript{44} Ibid., p.94.
\textsuperscript{45} Ibid.
interest of his own Commonwealth. Accordingly, the sovereign will decide the numerical strength of the forces to be assembled, armed and paid for the purpose. The sovereign will have the supreme command of such defence forces. The expenses involved in such military operations must be considerable, and can be met only by levying taxes upon the people, since it is the popular interest which necessitates such operations. Subjects, therefore, are obliged to pay such taxes as the sovereign demands of them.\footnote{Ibid.}

Corresponding to the absolute authority of the sovereign, the subjects have an almost absolute obligation of obedience. "Because the major part hath by consenting voices declared a Sovereign; he that dissented must now consent with the rest; that is; be contented to avow all the actions he shall do, or else justly be destroyed by the rest."\footnote{Ibid., Ch.XVIII, p.92.} The individual, after all,
voluntarily covenanted with his fellow-men to institute a sovereign and thereby erect a Commonwealth. Now, if he utters any protestations against the decrees of the Commonwealth, he does so "contrary to his Covenant", and thereby acts unjustly, since injustice is the breach of covenant in any form. The alternative, after all, is to be left in the condition of war he was in before, wherein he might without injustice be destroyed by any man whatsoever.

But the whole obligation of subjects to the sovereign lasts only as long as the sovereign has power to protect them. Hence, the obligation of the subjects is almost absolute but not quite. The reason for the limitations upon the obligation of subjects is that the subjects have entered into the social contract in order to preserve their lives. Hence, there are some things which a subject is not obliged to do. These are described

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Ibid.
in Ch. XXI of *Leviathan*. A man has "liberty to disobey" if the sovereign orders him "to kill, wound, or maim himself"; or "not to resist those that assault him; or to abstain from the use of food, air, medicine, or any other thing, without which he cannot live". The subjects have submitted to the sovereign, or took part in instituting a sovereign, to get security, and it is, therefore, against reason that they should not resist when the sovereign seeks to deprive them of it. Moreover, men are so made that they always act for their own advantage. Therefore, when resistance is clearly to his advantage, a man will resist, whether or not he has undertaken not to. He is not obliged to do what he cannot do and he cannot refrain from resistance where a grave evil threatens him, unless he believes that resistance is hopeless. The right of resistance is thus confined by Hobbes to the right of self-defence only. No man may

49 Ibid., Ch. XXI, p.114.
resist the sovereign to defend other men or for the sake of a law higher than the sovereign's. Obedience is obligatory except where, on psychological grounds, it is impossible, and there must be no disobedience for conscience' sake, in defence of a principle.

Therefore, the liberty of citizens within the Commonwealth consists simply (a) in retaining certain rights that are inalienable (to resist death, bodily harm and imprisonment) and (b) "in the silence of the law" 50 i.e., being free to do those acts that the sovereign has not forbidden.

Hobbes's laws of nature, as maxims of prudence and conclusions about what conduces to individual and collective conservation, are basic. First, he establishes what rules all men must observe if any man is to have the security which every man desires, and then argues that, if the motives which cause men to observe the rules are

50 Ibid., Ch.XXI, p.115.
to be as strong and general as they can be, certain conditions must hold. He, therefore, condemns all communities in which these conditions do not hold, in which authority is not concentrated in a single power-centre as it must be if men are to get as much security as they can have in this world.

If Hobbes is to persuade men to submit themselves to government, he must show them their obligation to do so. Men have two kinds of obligation to obey the government. One is the prudential or natural obligation that results from fear of the effects of anarchy. This natural obligation, a real force, is complemented by that artificial or non-prudential obligation of a presumed promise to obey; the presumption is necessary for the relations of sovereignty and subjection, without which a state cannot function.

The point of the social contract theory in Hobbesian political thought, therefore, is to bring out the logical implications of sovereignty and subjection. Hobbes
demolishes in turn all the arguments put forward to limit the sovereign's authority; that there is a spiritual power independent of him, that there are fundamental laws regulating the use of power by which he is bound, that his subjects have a right to disobey him for conscience' sake, and that they have rights of property which he cannot touch except with their express consent. Indeed, it is undeniable that Hobbes made an elaborate and uncompromising case for absolute government. Hobbes did believe that at length, man's pride and passions compel him to submit himself to government. The 'Leviathan' is set on his feet; he is the king of the proud. The sovereign is the soul, the person, the representative, the will, the conscience of the Commonwealth, i.e., the sovereign is the Commonwealth.