



THE RECONCILIATION OF FREEDOM AND AUTHORITY IN HOBBS'S THEORY OF POLITICAL OBLIGATION

Inyikalum Daniel B

Department of Political & Administrative Studies, University of Port Harcourt, Port Harcourt, Nigeria

ABSTRACT

This research paper titled, *'The Reconciliation of Freedom and Authority in Hobbes's theory of Political Obligation'* strived to examine the relationship between Hobbes's Freedom and Authority under the concept and understanding of Political Obligation. Efforts were made towards exploring the socio-economic conditions of the society during Hobbes's time and how these conditions motivated his thoughts and writings on Political Obligation. Thomas Hobbes believes that Man was naturally self-interested, yet they are rational, they will choose to submit to the authority of a Sovereign in order to be able to live in a civil society, which is conducive to their own interests. In other words, For Hobbes, subjects have to obey the sovereign power in order to be protected because man's main concern is 'self- preservation'. In Hobbes' Political State therefore, the relation between subject and sovereign is the relation between the author and the actor. Thus he gives subjects positive role in the political society by means of introducing authority. This study therefore concludes that since Men freely established a commonwealth and legitimized the authority through their consent, they have obligation to obey that sovereign. Otherwise, Men will necessarily return "to the undisciplined and irrational condition of State of nature" which in Hobbes's view was nasty, solitary, brutish and above all else short.

Keywords: Authority, Sovereignty, Freedom, Obligation

INTRODUCTION

The social contract theory above all else is the view that peoples' moral and/or political obligations are dependent upon a contract or agreement among them to form the society in which they live. This research paper aims to examine the question of freedom and authority and its relation to political obligation in the social contract theory of Thomas Hobbes (1588-1679). To successfully examine the above subject matter, efforts will be made to find answers to questions such as 'why natural man gives away his freedom voluntarily and participate in a commonwealth', 'what their rights and duties are in a political association', and 'whether they renounce their liberty when obliging to the sovereign' amongst others. Thomas Hobbes notes that in the State of nature, man has right to preserve his life and his possessions by means of his own power because there is no justice, law and authority to secure him but the intention and consciousness of the agents is the only judge (Affeldt, G. 1999). It is clear that self-preservation, for Hobbes, is a blind organismic drive which aims at the perpetuation of natural existence of human beings. In such a state,

Every-one is governed by his own reason, and there is nothing he can make use of that may not be a help unto him in preserving his life against his enemies; it followeth that in such a condition every man has a right to everything, even to one another's body (Affeldt, 1999. P. 229).

State of nature is a state of quarrel for Hobbes and human beings are naturally bad, egocentric and self-interested who are not capable of living in peace without a common authority.

Issues and socio-economic conditions of the society during Thomas Hobbes's Time:

Thomas Hobbes (1588-1679), lived during the most crucial period of early modern England's history: the English Civil War which was waged from 1642-1648. To describe this conflict in the most general of terms, it was a clash between the King and his supporters, the Monarchists, who preferred the traditional authority of a monarch, and the Parliamentarians, most notably led by Oliver Cromwell, who demanded more power for the quasi-democratic institution of Parliament. Hobbes represents a compromise between these two factions. On the one hand he rejects the theory of the Divine Right of Kings, which is most eloquently expressed by Robert Filmer in his *Patriarcha or the Natural Power of Kings*, (although it would be left to John Locke to refute Filmer directly). Filmer's view held that a king's authority was invested in him (or, presumably, her) by God, that such authority was absolute, and therefore that the basis of political obligation lay in our obligation to obey God absolutely (Affeldt. 1999). According to this view, then, political obligation is subsumed under religious obligation. On the other hand, Hobbes also rejects the early democratic view, taken up by the Parliamentarians, that power ought to be shared between Parliament and the King. In rejecting both these views, Hobbes occupies the ground of one is who both radical and conservative. He argues,

radically for his times, that political authority and obligation are based on the individual self-interests of members of society who are understood to be equal to one another, with no single individual invested with any essential authority to rule over the rest, while at the same time maintaining the conservative position that the monarch, which he called the Sovereign, must be ceded absolute authority if society is to survive. While exploring the socio economic condition of the society before the Leviathan was published, Watkins, J. summarizes the situation in 1649 and claimed that:

The king had been executed, the House of Lords abolished, and Cromwell declared head of the new Commonwealth; the new government's first task was to persuade moderate and hostile groups that the revolution was really over. That is, Cromwell needed a theory of political obligation which could persuade Presbyterians and Royalists to abandon their sworn obligations to protect the life of the king, take the oath of allegiance to the Commonwealth, and obey what they considered to be a usurping power (*Watkins, p. 214*).

According to Taylor, A. (1989), Hobbes had lived in a period of social chaos and political instability and for him these were the great evils which should be avoided. The social situation can be considered as the reason of his pessimistic view of human nature and his obsession of absolute control and security. For Hobbes, men are naturally selfish and enemies to each other therefore Warrender, H (1957), argues that "[g]iven their nature, men need to be governed by an absolute monarch who rules with an iron hand". To say it differently, Hobbes' account on repressive and absolute government seems to be derived from his harsh view of human nature.

Hobbes on political freedom:

For Hobbes, men in the state of nature cannot live sociably together because they are in competition for honor and dignity, and the common good differs from their private goods. In order to exist, man has right to preserve his life and his possessions by means of his own power because there is no justice, law and authority to secure him, but the intention and consciousness of the agents is the only judge in the state of nature. Therefore human beings having unlimited passions, turn state of nature into state of war and this leads Hobbes to put emphasis on self-preservation in constructing his theory. Hobbes insists that men in the state of nature cannot expect long preservation because of their natural equality of strength and other faculties, and their willingness to hurt each other. Therefore they should enter into society for living in secure and peaceful society; in brief they become subjects to an authority for their own sake.

Although Hobbes also appears to give freedom to subjects while they are participating in a civil association, his authoritarianism leads him to be illiberal and avoids him of being a defender of freedom. Hobbes makes the sovereign a powerful agent which uses laws to secure advantages of a group and

subordinates the citizen. David P. Gauthier asserts the following:

Hobbes intends no totalitarian system, or arbitrary despotism, but rather an enlightened monarchy, authoritarian but benevolent, offering the subjects both ample opportunity to make known their needs and grievances before the seats of power and adequate freedom to engage in commercial and mercantile activities (*Gauthier*, p 34).

Consequently, it is possible to observe that most authors have different arguments on the relation between subject and sovereign in Hobbes' system. In this research paper, different points of view on Hobbes' sovereign, whether he suggests a repressive government or enlightened monarchy will be discussed by means of the concept of freedom since the relation between subject and sovereign will be studied within and under the framework of freedom.

Hobbes's justification for Political Obligation:

Hobbes makes a compelling argument for why we ought to be willing to submit ourselves to political authority. According to Hobbes, the justification for political obligation is this: given that men are naturally self-interested, yet they are rational, they will choose to submit to the authority of a Sovereign in order to be able to live in a civil society, which is conducive to their own interests. Hobbes argues for this by imagining men in their natural state, or in other words, the State of Nature. In the State of Nature, which is purely hypothetical according to Hobbes, men are naturally and exclusively self-interested, they are more or less equal to one another, (even the strongest man can be killed in his sleep), there are limited resources, and yet there is no power able to force men to cooperate. Given these conditions in the State of Nature, Hobbes concludes that the State of Nature would be unbearably brutal. In the State of Nature, every person is always in fear of losing his life to another. They have no capacity to ensure the long-term satisfaction of their needs or desires. No long-term or complex cooperation is possible because the State of Nature can be aptly described as a state of utter distrust. Given Hobbes' reasonable assumption that most people want first and foremost to avoid their own deaths, he concludes that the State of Nature is the worst possible situation in which men can find themselves. It is the state of perpetual and unavoidable war. Hobbes in *De Cive* answers them as follows:

The following objection is made: it is not true that men could combine into society through mutual fear; to the contrary, if they had been so afraid of each other, they could not even have borne the sight of each other. The objectors believe, I think, that fearing is nothing but being actually frightened. But I mean by that word any anticipation of future evil. In my view, not only fight, but also distrust, suspicion, precaution and

provision against fear are all characteristic of men who are afraid (Hobbes, p23).

Warrender, H. (1957), asserts that Hobbes uses fear to “denote a reasonable, well- grounded fear”, and his conception of fear seems to be consistent with his theory of obligation. For Hobbes, if man did not enter into a society for fear, there would not be any ground for political obligation in a commonwealth. No man could be obliged to obedience without using fear as the motivating force of human action; in fact, fear of death explains most of people’s behavior in Hobbes’ theory. This is the reason why he insistently argued that we are obligated by the agreements which we entered for fear as well. In other words, despite the objections, Hobbes thought that such agreements could not be invalid simply because the covenant was motivated by fear:

Covenants entered into by fear, in the condition of mere nature, are obligatory. For example, if I covenant to pay a ransom, or service for my life, to an enemy, I am bound by it (Sommerville p.7).

Otherwise, there would not be any room for obligation in Hobbes’ political theory and the formation of the transformation from state of nature to civil state would be impossibility. The situation is not, however, hopeless. Because men are reasonable, they can see their way out of such a state by recognizing the laws of nature, which show them the means by which to escape the State of Nature and create a civil society. The first and most important law of nature commands that each man be willing to pursue peace when others are willing to do the same, all the while retaining the right to continue to pursue war when others do not pursue peace. Being reasonable, and recognizing the rationality of this basic precept of reason, men can be expected to construct a Social Contract that will afford them a life other than that available to them in the State of Nature. This contract is constituted by two distinguishable contracts. First, they must agree to establish society by collectively and reciprocally renouncing the rights they had against one another in the State of Nature. Second, they must imbue some one person or assembly of persons with the authority and power to enforce the initial contract. In other words, to ensure their escape from the State of Nature, they must both agree to live together under common laws, and create an *enforcement mechanism* for the social contract and the laws that constitute it. Since the sovereign is invested with the authority and power to mete out punishments for breaches of the contract which are worse than not being able to act as one pleases, men have good, albeit self-interested, reason to adjust themselves to the artifice of morality in general, and justice in particular. Society becomes possible because, whereas in the State of Nature there was no power able to "overawe them all", now there is an artificially and conventionally superior and more powerful person who can force men to cooperate. While living under the authority of a Sovereign can be harsh (Hobbes argues that because men's passions can be expected to overwhelm their reason, the Sovereign must have absolute authority in order for the contract to be successful) it is at least better than living in the State of Nature. And, no matter how much we may object to how poorly a Sovereign manages the affairs of the state and regulates

our own lives, we are never justified in resisting his power because it is the only thing which stands between us and what we most want to avoid, the State of Nature.

According to this argument, morality, politics, society, and everything that comes along with it all of which Hobbes calls 'commodious living' are purely conventional. Prior to the establishment of the basic social contract, according to which men agree to live together and the contract to embody a Sovereign with absolute authority, nothing is immoral or unjust - anything goes. After these contracts are established, however, then society becomes possible, and people can be expected to keep their promises, cooperate with one another, and so on. The Social Contract is the most fundamental source of all that is good and that which we depend upon to live well. Our choice is either to abide by the terms of the contract, or return to the State of Nature, which Hobbes argues no reasonable person could possibly prefer. Currie (1973), notes that in the Greek civilization the individual gradually emerges through various political stages. These stages, when translated breeds political obligation in the individual.

Hobbes's on Leviathan and Freedom:

For Hobbes, if political body is formed without the consent or free choice of people, such an authority could not be legitimate; legitimacy could only be achieved by means of freedom of individuals. Therefore Hobbes implies that the main reason for obedience is consent and fear is what insures obedience but "man is not obligated because he is afraid". In fact, although fear is the main intention in entering into a society it does not appear to be the only reason of submission. It can be argued that the concept of fear does not eliminate freedom of subjects which is the point almost all authors had discussed.

Put another way, despite his ideas on the formation of state out of fear, Hobbes also talked about the relation between fear and liberty of subjects. It can be claimed that Hobbes valued security more than liberty and defined liberty in such a way that it has little importance. However, Hobbes did not remove freedom in his theory, rather he made fear consistent with liberty and some authors like Mill states that Hobbes' fear "is not a cringing type of fear and allows, rather than curtails, freedom for most members of the commonwealth". It will be useful to quote Hobbes to indicate the consistency of fear and liberty in his theory:

[W]hen a man throweth his goods into the sea for fear the ship should sink, he doth it nevertheless very willingly, and may refuse to do it if he will; it is therefore the action of one that was free: so a man sometimes pays his debt, only for fear of imprisonment, which, because no-body hindered him from detaining, was the action of a man at liberty. And generally all actions which men do in Commonwealths, for fear of the law, are actions which the doers had liberty to omit (Herzog. p56).

Therefore, Herzog claims that in Hobbes' theory

Fear and liberty are consistent means that no one can complain that his assenting to sovereign authority out of fear of civil war, or his following the law out of fear of punishment, shows that his action was not free and so try to dodge responsibility (*Herzog ibid*).

In addition to this, McNeilly states that for Hobbes when a man performs an action from fear of the law, he is free to omit it at the same time; “[s]o where there is an obligation I act freely if I keep it and freely also if I break it, for there is nothing hindering me from keeping or breaking it at will”. After stating the importance of authorization and giving an active role to the subjects, Hobbes legitimizes every act of the sovereign which is the one of the most criticized points. For Hobbes, since the sovereign has enough strength to protect his subjects, he has enough power to oppress everybody. Although this looks like a tyrannical sovereign, for Hobbes this is the typical right of a sovereign. Clearly, if one acknowledges a sovereign who has such a great power for Hobbes, the subject must obey his laws as whatever the sovereign tells him is just and good. In other words, if one accepts the judgment of an authority, its laws having final authority cannot be contrary to his liberty: “[t]he law is made by the sovereign power, and all that is done by such power is warranted and owned by every one of the people”.

Reconciliation of freedom and authority in Hobbes's theory of political obligation:

Since fear is the main motive of obeying laws, freedom of Hobbes' subjects seems to be problematic, therefore, in order to avoid questions of their freedom, he tries to indicate the consistency between fear and liberty in *Leviathan*. Authors like J. W. N. Watkins, D. V. Mill, D. Herzog and McNeilly argue that in Hobbes' theory, obeying the sovereign authority out of fear or following his laws out of fear of punishment does not mean that these actions are not free. Like Hobbes, Rousseau talks about voluntary participation in a political body and the renunciation of rights for the sake of individuals. For Rousseau, mankind has an impulse to preserve himself not as a resistance to death but as a positive love of his life namely as a desire to exist.

Therefore, he defends giving or transferring rights to a sovereign and enjoying a secure life under an authority. Rousseau agrees with Hobbes that complete liberty does not serve advantages to men and he argues that men voluntarily give themselves to chiefs, in fact to sovereign, for defending their freedom and their lives. For Rousseau, this is the fundamental maxim of all political right. Hobbes asserts that everyone seeks peace and wants to live in a commonwealth guaranteed by a common power due to the fear of losing their lives. Similarly, according to Rousseau the aim of the political state is the preservation of the citizens, thus, natural men want to avoid unsecured environment of the state of nature and enter into a political

association in order to live in safe conditions which are guaranteed by means of a contract in a civil society.

For instance, in their theories, both Hobbes and Rousseau legitimize entering into a society and the existence of a common power before justifying political obligation which is the product of voluntary association. Both emphasize implicit promise when discussing the transformation to the civil association since the state is established for the sake of the individuals. As social contract theories mainly seek rational justification of political obligation, it is necessary to examine the role of authorization in Hobbes' theory and the role of consent in Rousseau's theory.

In Hobbes' political state, the relation between subject and sovereign is the relation between the author and the actor. Thus he gives subjects positive role in the political society by means of introducing authorization. Similarly, Rousseau thinks that man is the author of political society and it is his "consent", which gives sovereign the authority for making orders and commands. For both of these philosophers no political society can be established without active roles of the subjects. Subjects voluntarily give themselves to sovereign, renounce or transfer their rights; in short they leave their complete freedom by their free will in order to enjoy their limited liberty in safety. The method of consent protects the subjects of Hobbes and Rousseau from injury by the state and makes the state an instrument for serving the interests of its citizens.

Since men are equal and no one has natural authority over the others, it is the convention or agreement, which gives sovereign the authority. Thus, to give legitimacy to the authority means to create a commonwealth and it makes the restraints on men their duties as well. In other words in both of their theories, it is the consent which both confers legitimacy on a government and establishes the principal ground of the obligation of the citizen to conform to law. Specifically, it can be claimed that it is the man who creates obligations by his free will, as Gauthier says all obligations are self-imposed in a civil association.

Hobbes introduced the idea of representation, and argued that multitude is made one person when they are represented by one man or one assembly with the consent of every one of that multitude in particular. Therefore, in his theory, "a person both is and is not the sovereign". Hobbes says that people have right to participate in the actions of the sovereign through authorization. However, Rousseau strongly rejects the idea of being represented, and argues that having representative means to renounce freedom. For him, subjects and sovereign are not two different parts of the commonwealth, rather individuals are people as being subjects to the laws of the state, and they are also citizens due to their participations in the sovereign authority. Furthermore, for him, each citizen puts his person in common under the supreme direction of the general will, thus, each member becomes an indivisible part of the whole body. Therefore, unlike Hobbes who unites multitude by representatives, Rousseau thinks that multitude turns to be one under the sovereignty, which is regarded as the exercise of the general will.

In both Hobbes' and Rousseau's view, since men freely established a commonwealth and legitimized

the authority through their consent, they have obligation to obey that sovereign. Otherwise, men necessarily return “to the undisciplined and irrational condition of state of nature”. For Hobbes, subjects have to obey the sovereign power in order to be protected because man’s main concern is self- preservation. Whereas Rousseau argues that people should obey it as long as the sovereign aims at justice and public felicity because the citizens freely participate in the sovereign in order to achieve common good. As a matter of fact, both claim that subjects have obligation to obey sovereign and its laws, and they have incentive to obey since obeying is favorable for them. But the difference is that Hobbes’ subjects obey only for security, and Rousseau’s subjects obey for common welfare.

According to Hobbes, like civil laws, the power of legislating laws does not harm the liberty of individuals. Although he attributes absolute power to the sovereign, he justifies this by saying that it is inevitable in order to prevent anarchy and procure safety. Rapaczynski, (1987)states that for Hobbes absolute power and absolute security coincides and any commonwealth could be dissolved without unlimited power of the sovereign.

CONCLUSION

Although Hobbes emphasized the significance of consent and authorization yet and as would have been discovered in his works, the existence of common force and the obligation to laws of the sovereign lead to questions about freedom. Given his rather severe view of human nature, Hobbes nonetheless manages to create an argument that makes civil society, along with all its advantages, possible. Within the context of the political events of his England, he also managed to argue for a continuation of the traditional form of authority that his society had long since enjoyed, while nonetheless placing it on what he saw as a far more acceptable foundation. As Hobbes had lived in a period of political disturbance, he introduces fear as the main motive in order to justify the formation of society for reaching civil peace. In addition to this, for him, “fear is what guarantees that people perform their obligations”, therefore, fear is essential both before formation of society and for the continuance of it.

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