

THE QUESTION OF FREEDOM IN POLITICAL PHILOSOPHIES OF
THOMAS HOBBS AND JEAN-JACQUES ROUSSEAU

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ABSTRACT

THE QUESTION OF FREEDOM IN POLITICAL PHILOSOPHIES OF THOMAS HOBBS AND JEAN-JACQUES ROUSSEAU

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This thesis aims to examine the question of freedom in its relation to political authority in social contract theories of Thomas Hobbes (1588-1679) and Jean-Jacques Rousseau (1712-1778). In order to do that, discussions on human nature, evolution into political association and the foundations of legitimate governments are focused on. As the social contract theories of Hobbes and Rousseau mainly seek for rational justification of political obligation, the primary aim of this thesis is to analyze the nature of political obligation in order to discuss the relation between subject and sovereign in the framework of freedom.

Keywords: Political state, sovereignty, freedom, Thomas Hobbes, Jean-Jacques Rousseau.

ÖZ

THOMAS HOBBS VE JEAN-JACQUES ROUSSEAU'NUN SİYASET FELSEFELERİNDEKİ ÖZGÜRLÜK PROBLEMİ

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Bu çalışma, Thomas Hobbes (1588-1679) ve Jean-Jacques Rousseau'nun (1712-1778) toplum sözleşmelerindeki özgürlük problemini, siyasi otorite ile ilişkisi çerçevesinde incelemektedir. Bu amaca yönelik olarak her iki filozofun doğa durumu ile ilgili düşünceleri, siyasi örgütlenmeye geçiş süreçleri ve bu örgütlenmeyi meşrulaştıran temelleri üzerinde durulmuştur. Her ikisinin de toplum sözleşmelerinin temel amacı siyasi yükümlülüğün meşrulaştırmak olduğundan dolayı, tezin başlıca amacı siyasi yükümlülüğün doğasının analizidir; böylece siyasi toplumdaki egemen ve özne arasındaki ilişki özgürlük çerçevesi içinde tartışılacaktır.

Anahtar Kelimeler: Siyasi yapı, egemenlik, özgürlük, Thomas Hobbes, Jean-Jacques Rousseau.

To My Father

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CHAPTER 1

INTRODUCTION

This thesis aims to examine the question of freedom and its relation to political authority in social contract theories of Thomas Hobbes (1588-1679) and Jean-Jacques Rousseau (1712-1778). In order to do that, I will try 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’.

The reason why I chose to study political philosophies of Hobbes and Rousseau is that because the social contract tradition has begun with Hobbes and took a new frame with Rousseau. They shared the belief that medieval world could no longer provide an adequate framework to understand the political life of their time. For Andrzej Rapaczynski this unifies their thoughts.¹ According to Hobbes and Rousseau there is a need of new conceptualization of modern politics’ realities and they think that a positivistic reading of modern science is possible.

¹ Rapaczynski, Andrzej. *Nature and Politics: Liberalism in the Philosophies of Hobbes, Locke and Rousseau* (Ithaca: Cornell University Press, 1987), p. 6.

Hobbes thought that “political philosophy in the seventeenth century had to be grounded in modern natural science, with its mechanistic approach, rather than in outdated Aristotelian teleology”.² Therefore, Hobbes replaced Aristotle’s teleology and theological foundations of political philosophy with mechanistic theory of nature. Additionally, Hobbes thought that individuals are the basic elements of the society, thus, he tries to explain the structure and function of social institutions by means of individuals. According to Rapaczynski, this understanding substitutes the significance of individual members in place of Aristotelian insistence on priority of society over the individuals.³ In fact, the starting point of Hobbes’ philosophy is the interest and will of individuals. Ronald Grimsley states that the question of right is inseparable of question of interest in politics;⁴ hence Hobbes constructs his political theory in order to provide some good to the individuals.

In addition to this it will be useful to look at the political situation before the *Leviathan* was published. Jonathan M. Wiener 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.⁵

² *Ibid.*, p. 28.

³ *Ibid.*, p. 8.

⁴ Grimsley, Ronald. *The Philosophy of Rousseau* (London: Oxford University Press, 1973), pp. 95-96.

⁵ Wiener, Jonathan M. “Quentin Skinner’s Hobbes”, *Political Theory*, 2/3 (1974), p. 252.

According to F. S. McNeilly, Hobbes had lived in a period of social chaos and political instability and for him these were the great evils which should be avoided.⁶ 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 Arthur M. Melzer argues that “[g]iven their nature, men need to be governed by an absolute monarch who rules with an iron hand”.⁷ To say it differently, Hobbes’ account on repressive and absolute government seems to be derived from his harsh view of human nature.

However, Rousseau was a passionate lover of liberty and individual independence. Unlike Hobbes, he tried to challenge monarchical values and social structures⁸ that is why Rousseau was seen as a precursor of the French Revolution.

Rousseau focused on the realization of individual freedom in political society, that is to say he tried to reconcile freedom and order with his insistence on subject’s freedom. In this thesis, I will examine how Rousseau reconciles individual freedom and political freedom in a commonwealth. In his political state, Rousseau leaves room for freedom of subjects by making them indivisible parts of the body politic. According to E. D. Watt, Rousseau also introduces his state as a partnership in all sciences, in all arts and in every virtue,⁹ therefore, he seems to unite all the subjects under the common good, and he tried to give those subjects active roles and freedom in a political state.

⁶ McNeilly, F. S. *The Anatomy of Leviathan* (New York: St. Martin’s Publications, 1968), p. 3.

⁷ Melzer, Arthur M. *The Natural Goodness of Man: on the System of Rousseau’s Thought* (Chicago: University of Chicago Press, 1990), p. 20.

⁸ Starobinski, Jean. *Jean- Jacques Rousseau, Transparency and Obstruction* (Chicago: University of Chicago Press, 1988), p. 22.

⁹ Watt, E. D. “Rousseau Rechauffe- Being Obligated, Consenting, Participating, and Obeying only Oneself”, *The Journal of Politics*, 43/3 (1981), p. 715.

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.¹⁰

Consequently, it is possible to observe that most authors have different arguments on the relation between subject and sovereign in Hobbes' system. In this thesis, different points of view on Hobbes' sovereign,¹¹ 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 in the framework of freedom.

Since the main question is to discuss the concept of freedom in the social contract theories of Hobbes and Rousseau, first I will look at the discussions on their human nature and natural man. 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

¹⁰ Gauthier, David P. *The Logic of Leviathan: The Moral and Political Theory of Thomas Hobbes* (Oxford: Clarendon Press, 1969), p. 139.

¹¹ See Gauthier, D. P. *The Logic of Leviathan*; Rapaczynski, A. *Nature and Politics*; Gert, Bernard. "Hobbes' Psychology" in *The Cambridge Companion to Hobbes*, ed. Tom Sorell (Cambridge: Cambridge University Press, 1996); and Wiener, J. M. "Quentin Skinner's Hobbes".

judge in the state of nature.¹² 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,¹³ and their willingness to hurt each other.¹⁴ 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.

In contrast to Hobbes who attributes an evil nature to men, Rousseau sees natural man as naturally good due to the calmness of their passions. According to Rousseau self love is the origin of all our passions, thus Rousseau, unlike Hobbes, suggests that the root of life is not a negative relation to the other but positive affection for oneself and for simply being.¹⁵ For Rousseau, man in the state of nature does not harm another one unless he is in danger of losing his life¹⁶ and he also says that “since the state of [n]ature is that in which care of our self-preservation is the least prejudicial to the self preservation of others, that state was consequently the best suited to Peace and the most appropriate for the Human Race”.¹⁷ That is to say Rousseau makes natural men as agents who are good both for themselves and for the others.

¹² Hobbes, Thomas. *De Cive, or on The Citizen*, eds. Richard Tuck, and Michael Silverthorne (New York: Cambridge University Press, 1998), p. 54.

¹³ *Ibid.*, p. 31.

¹⁴ *Ibid.*, pp. 25-26.

¹⁵ Melzer. *The Natural Goodness of Man*, p. 38.

¹⁶ Rousseau, Jean-Jacques. *Discourse on the Origins of Inequality (Second Discourse); Polemics; and, Political Economy*, eds. Roger D. Masters, and Christopher Kelly (Hanover, NH: University Press of New England, 1992), p. xvi.

¹⁷ *Ibid.*, p. 35.

Despite their differences on natural man, both of these philosophers introduce the necessity of a political society and a common authority in order to enjoy a peaceful and secure life. 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.¹⁸ Similarly, according to Rousseau the aim of the political state is the preservation of the citizens,¹⁹ 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. In Rousseau's state, there is an exchange of personal force for a right which is guaranteed by social union²⁰ therefore natural man prefers being a part of a civil association for well being of himself and of the whole community.

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

¹⁸ Hobbes, Thomas. *Leviathan*, ed. Richard Tuck (Cambridge; New York: Cambridge University Press, 1996), p. 71.

¹⁹ Rousseau, Jean-Jacques. *Social Contract; Discourse on the Virtue Most Necessary for a Hero; Political Fragments; and, Geneva Manuscript*, eds. Roger D. Masters, and Christopher Kelly (Hanover, NH: University Press of New England, 1994), p. 185.

²⁰ *Ibid.*, p. 150.

“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.²¹

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, “people both is and is not the sovereign”.²² 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.²³ For him, subjects and sovereign are not two different parts of the commonwealth, rather individuals are people as being subjects to the laws

²¹ Gauthier, *The Logic of Leviathan*, pp. 40-41.

²² *Ibid.*, p. 175.

²³ Rousseau, *Social Contract*, p. 194.

of the state, and they are also citizens due to their participations in the sovereign authority.²⁴ 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.²⁵ 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.²⁶

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".²⁷ 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.

As long as authority is legitimized in their political philosophies, this means that obligation to it and its laws are rationalized, and this leads to arguments concerning individual freedom and political freedom. Put another way, although they put emphasis on the significance of consent and authorization,

²⁴ *Ibid.*, p. 139.

²⁵ *Ibid.*, p. 139.

²⁶ *Ibid.*, p. 145.

²⁷ Grimsley, *The Philosophy of Rousseau*, p. 119.

still the existence of common force and the obligation to laws of the sovereign lead to questions about freedom.

Indeed, Rousseau tries to construct a political association in which men are not slaves but active citizens who are obeying themselves while obeying sovereign, in other words, Rousseau's subjects become the sovereign by giving consent and trust to the sovereign²⁸. Conversely, Hobbes' subjects only authorize the sovereign. Hobbes insists on absolute power of sovereign and limited rights of members. In contrast to Rousseau, in Hobbes' system, absolute character of sovereign power which is authorized by the subjects makes the subjects passive beings in legislation. The subjects become abject slaves as they do not have any right to resist the sovereign since the only aim is the security not the common welfare in the commonwealth. Common power is used in his theory for the justification of political obligation rather than consent. Although he argues that sovereign "has as much power as the citizens can confer upon him"²⁹ his interest in establishing control rather than expanding freedom is challenging for the concept of freedom.

In addition to this, 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

²⁸ Watt, "Rousseau Rechauffee- Being Obligated, Consenting, Participating, and Obeying only Oneself", p. 714.

²⁹ Hobbes, *De Cive*, p. 88.

not mean that these actions are not free.³⁰ However, James Roland Pennock and Rapaczynski claim that actions of an individual, who obeys the sovereign and his laws because of fear, could not be free and he could not become a subject voluntarily.³¹ Therefore, even though Hobbes asserts that “in the act of our submission, consists both our obligation and our liberty”,³² the fear of the power of sovereign which is regarded as the only reason for obedience, appears to eliminate the role of free will of the subjects in Hobbes’s theory.

According to Hobbes, liberty of the subjects could only be possible in the silence of the law.³³ That is to say, what is not prohibited is permitted. Unless the sovereign who retains full right of nature forbids something, subjects are free to act in accordance with their judgments. Therefore, Hobbes never defines liberty as exemption from subjection to laws, but actually for him, liberty is the freedom from sovereign’s obligations. Moreover, sovereign in Hobbes’ system have right to do whatever is necessary to preserve peace,³⁴ thus, it can be stated that naked absolutism of Hobbes serves for absolute security in the political state and this also makes the sovereign power as favorable to the individual. Hobbes says in *Leviathan* that “[w]hensoever a man transferreth his right, or renounce it...

³⁰ See Watkins, J. W. N. “Liberty”, in *Hobbes and Rousseau: A Collection of Critical Essays*, eds. M. W. Cranston, and R. S. Peter (New York: Anchor Books, 1972), pp. 213-232; Watkins, J. W. N. *Hobbes System of Ideas; a Study in The Political Significance of Philosophical Theories* (London: Hutchinson, 1973); Mill, David Van. “Hobbes’ Theories of Freedom”, *The Journal of Politics*, 57/2 (1995), pp. 443-459; Mill, David Van. “Civil Liberty in Hobbes’s Commonwealth”, *Australian Journal of Political Science*, 37/1 (2002), pp. 21-38; Herzog, Don. *Happy Slaves: A Critique of Consent Theory* (Chicago: University of Chicago Press, 1989); McNeilly, F. S. *The Anatomy of Leviathan*.

³¹ See Pennock, J. R. “Hobbes’s Confusing “Clarity” - The Case of “Liberty””, *The American Political Science Review*, 54/2 (1960), pp. 428-436; Pennock, J. R. *Coercion*, eds. J. R. Pennock, and J. W. Chapman (Chicago: Aldine Atherton, 1972); Rapaczynski, A. *Nature and Politics*.

³² Hobbes, *Leviathan*, p. 150.

³³ *Ibid.*, p. 151.

³⁴ *Ibid.*, pp. 124-145.

it is a voluntary act: and of the voluntary acts of every man, the object is some good to himself".³⁵ Consequently, Hobbes tries to avoid questions on the absolute character of the sovereign by making it, as the provider of the security of political state, which also serves for the advantages of the subjects.

However, people who give power to sovereign have no right of making protestation against sovereign and his laws because once they make a covenant they have to perform it, they cannot give up their agreements without acting unjustly.³⁶ Being authorized by the subjects, sovereign cannot make injury to his citizens, thus for Hobbes, there is no need of resistance and individuals could not have good reasons to break the covenant. Hobbes thinks that if men want to be protected by an authority, "they should pay for protection by forgoing whatever liberty it costs".³⁷ Furthermore, as long as men laid aside his unlimited rights which they had in the state of nature and transfer them to the sovereign in order to live in secure society, "[they are] obliged or bound not to hinder those to whom such right is granted or abandoned from the benefit of it".³⁸ Since Hobbes' main aim is to provide security, he gives more importance to protection than liberty and he believes that freedom could be meaningful and possible only after achieving absolute security in a political society.

However, the end of Rousseau's state is not protection but justice and common good, and for that reason, his aim is to conceive such a body politic in which each person obeys his own will while obeying the will of the commonwealth. Unlike Hobbes' sovereign with absolute power and rights, Rousseau's sovereign provides equality of right and justice and becomes the

³⁵ *Ibid.*, p. 93.

³⁶ *Ibid.*, p. 123.

³⁷ Watkins, "Liberty", p. 213.

³⁸ Hobbes, *Leviathan*, pp. 92-93.

guarantor of freedom. Rousseau puts great emphasis on freedom and free will of the subjects and he also argues that, for individual, in order to recognize his true being and freedom, he should obey general will. Citizens achieve civil freedom limited with general will and moral values after entering into a society and becoming master of themselves which is possible only “[by] obedience to laws”³⁹. When citizens obey the laws that contribute their liberty, they do not obey anyone but only their own free will.⁴⁰ Rousseau claims that “each of us puts his person and his entire power under the supreme direction of the general will”.⁴¹ As a result, it can be argued that Rousseau tries to establish a commonwealth by reconciling individual freedom and political freedom.

In Rousseau’s political theory, the state, consent and general will provide freedom. According to Rapaczynski, even Rousseau’s paradox of forcing to be free is understood as contributing freedom because when individuals are forced to obey their reason in the civil state, they are forced by the community, which makes their moral agency free.⁴² However, some authors argue that individuals in Rousseau’s theory appear to be coerced by the sovereign.⁴³ In fact, like Hobbes, freedom in his theory does not mean to do whatever you want to do but it means to control your desires and passions. Furthermore, unlike Hobbes who considers rebellion as renewed war,⁴⁴ Rousseau gives dominant power and right to subjects to revoke any government. For him, the supreme power is the legislative will that is the

³⁹ Rousseau, *Social Contract*, p. 142.

⁴⁰ *Ibid.*, p. 150.

⁴¹ *Ibid.*, p. 139.

⁴² Rapaczynski, *Nature and Politics*, p. 262.

⁴³ See Plamenatz, J. P. *Consent, Freedom and Political Obligation* (London: Oxford University Press, 1968); Hocutt, M. “Compassion without Charity, Freedom without Liberty: The Political Fantasies of Jean-Jacques Rousseau”, *The Independent Review*, 8/2 (2003), pp. 165-191.

⁴⁴ Hobbes, *Leviathan*, p. 219.

will of the subjects. Grimsley claims that Rousseau holds a democratic view of sovereign and defends that ultimate political authority can be safely left in the people's hands.⁴⁵ That is to say, unlike Hobbes who argues that subjects have obligation to obey the sovereign and cannot question the absoluteness of its power, Rousseau as a defender of individual liberty tries to eliminate the gap between sovereign and subjects. In his theory, sovereign does not appear to be an independent, absolute, and repressive power like that of Hobbes.

However some authors claim that when sovereign of Rousseau directs and guides subjects to induce them to obey general will and common good, individuals' free will lose its importance. Therefore, Rousseau makes all individuals as prototypes obeying the general will not their wills.⁴⁶

In this thesis, opposing views on both Rousseau and Hobbes are discussed, and especially arguments on freedom are limited to political theories of Hobbes and Rousseau. This thesis is mainly an analysis of Hobbes' *Leviathan* and *De Cive*, and Rousseau's *Discourse on the Origins of Inequality* and *Social Contract*.

The thesis is composed of five chapters. After the introduction, the second chapter deals with Hobbes' and Rousseau's conceptions of state of nature and their justifications of entering into a political state. The third chapter aims to clarify the meanings of social contract, general will, authorization, consent and sovereignty in political theories of Hobbes and Rousseau and also the role of God in Hobbes' theory. This chapter also discusses the grounds of political obligation and tries to answer how Hobbes and

⁴⁵ Grimsley, *The Philosophy of Rousseau*, pp. 117-118.

⁴⁶ See Hocutt, M, "Compassion Without Charity, Freedom Without Liberty: The Political Fantasies of Jean-Jacques Rousseau"; Riley, Patrick. "A Possible Explanation of Rousseau's General Will", *The American Political Science Review*, 64/1 (1970), pp. 86-97; Riley, Patrick. "Rousseau's General Will: Freedom of a Particular Kind", *Political Studies*, 39 (1991), pp. 55- 74.

Rousseau rationalize obligation toward common authority. The fourth chapter focuses on the meaning of freedom in the sphere of submission by comparing their theories. The last chapter gives a summary and a final analysis of the possibility of individual freedom in both philosophers' political theories.

CHAPTER 2

THE STATE OF NATURE AND THE IDEA OF POLITICAL SOCIETY

In this chapter, the primary focus is the Hobbes' and Rousseau's respective definitions of state of nature. Since the establishment of political society is related with transformation and development of human nature, firstly, I will analyze their accounts on natural state, the characteristics of natural man and the conditions of that state before examining their views on political states. Secondly, the need for a civil state will be analyzed, and their discussions on legitimization of political authority will be examined in detail in order to focus on their theories of obligation, which will be examined in Chapter 3.

2.1 Hobbes' Conception of State of Nature

In the seventeenth century England, mechanistic science of nature and its philosophical foundations leads to a new way of looking at nature and society.⁴⁷ Thus, Hobbes introduced his political philosophy within the framework of mechanism.

⁴⁷ Rapaczynski, *Nature and Politics*, p. 7.

As it is clear in *Leviathan*, Hobbes based his political theory on his account of human nature and he gave a definition of natural state in terms of passions of human beings. As Tom Sorell states that, for Hobbes, “the principles of civil philosophy are accessible from a starting point in acquaintance with the passions”.⁴⁸ According to Hobbes, introducing state of nature is essential in order to indicate the need for a commonwealth and a common power. Thus when studying his political theory, we must take his state of nature into account at first.

What is state of nature? Is it only a logical construction or a historical period? According to Samuel I. Mintz, it is not a historical phase through which men have passed but “[t]he state of nature is the logical extreme of human society without law”.⁴⁹ However, it can also be claimed that state of nature is always a possibility.⁵⁰ No matter it is conceived as a historical phase or not, Hobbes gives great emphasis to state of nature and argues that it is the man who is the measure of his own good in such a natural state:

[B]ut whatsoever is the object of any man’s appetite or desire, that is it which he for his part calleth good; and the object of his hate and aversion, evil; and of his contempt, vile and inconsiderable. For these words of good, evil and contemptible, are ever used with relation to the person that useth them, there being nothing simply and absolutely so.⁵¹

In *De Cive*, he also adds that nature has given all things to all men and it can be derived from this statement that measure of right in natural state is the

⁴⁸ Sorell, Tom. “Hobbes’s Scheme of the Sciences” in *The Cambridge Companion to Hobbes*, ed. Tom Sorell (Cambridge: Cambridge University Press, 1996), p. 55.

⁴⁹ Mintz, Samuel I. *The Hunting of Leviathan; Seventeenth-Century Reactions to the Materialism and Moral Philosophy of Thomas Hobbes* (Cambridge: Cambridge University Press, 1962), p. 33.

⁵⁰ Jouvenel Bertrand de. *Sovereignty; An Inquiry into the Political Good* (Cambridge: Cambridge University Press, 1957), p. 232.

⁵¹ Hobbes, *Leviathan*, p. 39.

interest of human beings.⁵² Therefore, human individuality is the cornerstone in his theory, and there is natural priority of individuality to social interaction.⁵³ It can be claimed that Hobbes successfully constructs his theory on this individuality; “[i]t was Hobbes’s achievement to deduce logically the necessary structure of political society from the characteristics and needs of the ‘I’”.⁵⁴

What does “I” mean for Hobbes? What are the general characteristics of an independent human being living in state of nature? Firstly, he claims that “NATURE hath made men so equal in the faculties of body and mind”,⁵⁵ and he also adds that “there is not ordinarily a greater sign of the equal distribution of anything than that every man is contented with his share”.⁵⁶

Consequently, this equality among mankind is the major cause of Hobbes’ famous war of all against all in state of nature; “if any two men desire the same thing, which nevertheless they cannot both enjoy, they become enemies; and in the way to their end (which is principally their own conservation, and sometimes their delectation only) endeavour to destroy or subdue one another”.⁵⁷ In other words, if “[a]ll men are equal-equal, that is, in having desires, in desiring roughly the same things, and in having roughly the same capacity to get them” the state of nature necessarily turns to be a state of war with Hobbes.⁵⁸

⁵² Hobbes, *De Cive*, p. 28.

⁵³ Rapaczynski, *Nature and Politics*, p. 8.

⁵⁴ Jouvenel, *Sovereignty*, p. 196.

⁵⁵ Hobbes, *Leviathan*, p. 86.

⁵⁶ *Ibid.*, p. 87.

⁵⁷ *Ibid.*

⁵⁸ Mintz, *The Hunting of Leviathan*, p. 31.

Gert claims that “Hobbes did not deny people were ever motivated by love and concern for others. What Hobbes does deny is that people naturally love all other human beings”.⁵⁹ Therefore, this war of every man against every man is not based on innate hostility among mankind but Gauthier says that, for Hobbes, it is based on hostility which is caused by the conflict between man’s powers of self maintenance: “War is the consequence of natural insecurity, and the natural desire to preserve oneself”,⁶⁰ and this is the reason why Hobbes puts emphasis to self preservation in constructing his theory.

In 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.⁶¹ It is clear that self preservation, for Hobbes, is a blind organismic drive which aims at the perpetuation of natural existence of human beings.⁶² 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 every thing, even to one another's body”.⁶³ What Hobbes tried to put emphasis on is the unlimited liberty, as the right of primitive men in state of nature.

Hobbes’ emphasis on the priority of self preservation can easily be seen in his definition of natural right and natural law. For him, the right of nature “is the liberty each man hath to use his own power as he will himself for the

⁵⁹ Gert, “Hobbes’s Psychology”, p. 167. See Hobbes, *De Cive*, chapters 1-2 and 6 for more information.

⁶⁰ Gauthier, *The Logic of Leviathan*, p. 17. See also Hobbes, *Leviathan*, pp. 87-88.

⁶¹ Hobbes, *De Cive*, p. 54.

⁶² Rapaczynski, *Nature and Politics*, p. 38.

⁶³ Hobbes, *Leviathan*, p. 91.

preservation of his own nature; that is to say, of his own life; and consequently, of doing anything which, in his own judgment and reason, he shall conceive to be the aptest means thereunto”.⁶⁴ Moreover, he defines law of nature as “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”.⁶⁵ In other words, for Hobbes, consciousness of man in state of nature is the guide on all matters, and what is important for him is only the self preservation of himself.

Hobbes’ definitions of rights and laws of nature especially emphasize preservation of men but it sounds as if he gives priority to personal preservation. Although Howard Warrender claims that natural laws of Hobbes are rules for preservation of men in general.⁶⁶ Johann P. Sommerville argues that “the laws of nature are primarily rules for personal preservation, and only secondarily principles for the preservation of others”.⁶⁷ According to Hobbes, man has right to do whatever necessary for the preservation of his life, and this is based on the notion that, being egocentric and self interested, man is motivated by his passions. His fear of death is more important than others and the fundamental law of nature commands man to use all helps and advantages, in order to avoid death, when there is no hope for peace:⁶⁸ “to seek peace when some hope of having

⁶⁴ *Ibid.*, p. 91.

⁶⁵ *Ibid.*

⁶⁶ Warrender, Howard. *The Political Philosophy of Hobbes, His Theory of Obligation* (Oxford: Clarendon Press, 1957), p. 255.

⁶⁷ Sommerville, Johann P. *Thomas Hobbes: Political Ideas in Historical Context* (Basingstoke: MacMillan, 1992), p. 79. See also Watkins, *Hobbes’s System of Ideas*, p. 119.

⁶⁸ Hobbes, *De Cive*, pp. 33-34.

peace exists, and to seek aid for war when peace cannot be had, is a dictate of right reason, i.e. a law of Nature”.⁶⁹

According to Hobbes right is the liberty that every man could use his natural faculties according to his right reason. Therefore, natural right allows men to protect their lives and properties as much as they can⁷⁰. It is clear that self preservation is the ultimate motive of human behavior, and the practical role of reason is to establish self preservation. McNeilly states that “[i]f self preservation is my chief value, then the only security for my own life is the exercise of power over others”.⁷¹ To be precise, in such a state without justice, law or authority, man could only survive by means of his power. In the state of nature “there be no propriety, no dominion, no mine and thine distinct; but only that to be every man's that he can get, and for so long as he can keep it”.⁷² Therefore, for achieving means and protecting those means in order to survive, man should have power. The concept of power as a basis of his political theory is a very significant concept of Hobbes’ account of human nature and his political society as well.

It is worth quoting him to clarify the meaning of power in state of nature for his theory:

I put for a general inclination of all mankind a perpetual and restless desire of power after power, that ceaseth only in death, because he cannot assure the power and means to live well, which he hath present, without the acquisition of more.⁷³

⁶⁹ *Ibid.*, p. 31.

⁷⁰ *Ibid.*, p. 27.

⁷¹ McNeilly, *The Anatomy of Leviathan*, p. 168.

⁷² Hobbes, *Leviathan*, p. 90.

⁷³ *Ibid.*, p.70.

In other words, man in natural state is dominated by an insatiable desire for power from birth to death. Man has little chance of promoting his objectives in such a state and only power could make man achieve his objectives. If men are naturally permitted to do whatever they desire, men turn state of nature into state of war by means of their unlimited liberty to do whatever necessary for their preservation.⁷⁴

As was mentioned above, 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. However, some authors like McNeilly claims that natural men are not necessarily so brutally and exclusively selfish as Hobbes makes them out to be.⁷⁵ Put another way, making a logical construction about state of nature in order to understand a state without political authority and social order does not necessitate introducing human beings in state of war. Although Hobbes attributes an evil nature to natural men, Rousseau introduces natural men as naturally good due to the calmness of their passions.⁷⁶ That is to say, state of nature is a state of peace for Rousseau, which as the next topic, will be thoroughly discussed in the following part.

2.2 Rousseau's Conception of State of Nature

In contrast to Hobbes, Rousseau, in *Emile*, states that God makes all things good and man is naturally good for himself, self sufficient and happy.⁷⁷ Although natural state is a situation without an authority and social order, primitive men of Rousseau are not necessarily enemies to each other like

⁷⁴ *Ibid.*, pp. 87-88. See also Hobbes, *De Cive*, p. 34.

⁷⁵ McNeilly, *The Anatomy of Leviathan*, p. 11.

⁷⁶ Rousseau, *Discourse on the Origins of Inequality*, p. xvi. See also, Rousseau, Jean-Jacques. *Emile*, trans. B. Foxley (London: Everyman's Library, 1992), pp. 212-213.

⁷⁷ Rousseau, *Emile*, p. 5.

that of Hobbes'. In fact, Rousseau disagrees with Hobbes' conception of primitive men, thus, Melzer says that Rousseau wrote the *Discourse on the Origins of Inequality* only for refuting, point by point, Leviathan's argument regarding the state of nature.⁷⁸

Although Rousseau did not deny the importance of passions for human beings, like Hobbes, he did not attribute an evil nature because of these passions. "Our passions are the chief means of self preservation; to try to destroy them is therefore is absurd as it is useless; this would be to overcome nature, to reshape God's handiwork".⁷⁹ That is to say, he stressed that passions are necessary for survival of mankind but different from Hobbes, Rousseau thought self love as the origin of all our passions: "The source of our passions, the origin and the principle of all the others, the only one born with man and which never leaves him so long as he lives is self love, the goal of which is self preservation".⁸⁰ Therefore, unlike Hobbes, Rousseau suggests that the root of life is not a negative relation to the other but positive affection for oneself and for simply being.⁸¹ This makes Rousseau conceive of naturally good agents who are good both for themselves and for others.

Concerning their theories, it can be claimed that Rousseau followed the form and method of Hobbes in his reasoning.⁸² Both of them defined state of nature before constructing their political theories on it, and both argued that man is a solitary individual by nature, "[he] is not the political and civilized

⁷⁸ Melzer, *The Natural Goodness of Man*, p. 20.

⁷⁹ Rousseau, *Emile*, p. 173.

⁸⁰ *Ibid.*, pp. 212-213.

⁸¹ Melzer, *The Natural Goodness of Man*, p. 38.

⁸² Jouvenel, *Sovereignty*, p.231.

animal that Aristotle teleologically assumed him to be”.⁸³ In other words, for Hobbes and Rousseau, primitive man does not live in political societies but in primitive prepolitical states. Hobbes states in *De Cive* that all men are born unfit for society, and they are made fit for it by training.⁸⁴ Similarly, in *Social Contract*, Rousseau claims that social order as a sacred right does not come from nature but it is based on conventions.⁸⁵ In addition to this, in the *Discourse on the Origins of Inequality*, which he introduced his claim that humans had evolved from an asocial, animal-like state of nature, he stated that nature did not prepare sociability for man and it did not contribute anything to establish social bonds.⁸⁶ Sociability is not a fundamental characteristic of human beings but it is an artificial product of men’s will, therefore, exercise of will and freedom of agents are responsible in the formation of commonwealth.

However, for Aristotle, “man was by nature social, since only a beast or a God could live alone”.⁸⁷ But, what does Aristotle mean by “living alone”? It can be claimed that living alone is a condition which expressed a certain kind of perfection as it implied self sufficiency.⁸⁸ Nevertheless, Rousseau asserts that self sufficiency and happiness of human are the results of their natural state and this is the reason why natural man existing as a unity can live alone, in other words, unlike Aristotle, Rousseau’s man is able to live by himself as he is fundamentally a satisfied being.

⁸³ Melzer, *The Natural Goodness of Man*, p.50.

⁸⁴ Hobbes, *De Cive*, p. 25.

⁸⁵ Rousseau, *Social Contract*, p. 131.

⁸⁶ Rousseau, *Discourse on the Origins of Inequality*, p. 33.

⁸⁷ Aristotle, *The Complete Works of Aristotle*, trans. and ed. Jonathan Barnes (Princeton, N. J.: Princeton University Press, 1984), p. 1253.

⁸⁸ Rapaczynski, *Nature and Politics*, p. 237.

When Rousseau said that society is anti natural, he also implied the relation between society and nature, in fact “[s]ociety is an anti nature that grows out of nature”.⁸⁹ It is worth paying more attention to goodness of Rousseau’s men. Starobinski argues that for Rousseau primitive man is good since he is not yet active enough to do wrong.⁹⁰ There is not any distinction between truth and falsehood in state of nature, thus, natural man lives in an amoral world; “The solitary and independent existence of primitive man in the state of nature precludes any possibility of moral relations, because it rests entirely on physical and instinctive impulses”.⁹¹

Rousseau adds that human beings as amoral and sub-rational may not be good for each other, but still they cannot be enemies like that of Hobbes.⁹² “Man in the state of nature was not a ‘wicked child’ but a ‘good’ animal who never harmed another unless his own preservation was at stake”.⁹³ As both Hobbes and Rousseau argued that there is not any kind of moral relationship in natural state, it can be argued that there could be neither vices nor virtues in it. Therefore, Rousseau suggests: “let us not conclude with Hobbes that because man has no idea of goodness he is naturally evil”.⁹⁴ Still Rousseau does not deny that a natural man may have occasionally harmed another if it is necessary for his life but he adds in *The Preface to the Narcissus* that natural man could not be evil and could not have any habit of harming others because in no way it will be useful to him.⁹⁵ As was

⁸⁹ Starobinski, *Jean- Jacques Rousseau, Transparency and Obstruction*, p. 305.

⁹⁰ *Ibid.*, p. 25.

⁹¹ Grimsley, *The Philosophy of Rousseau*, p. 90.

⁹² Rousseau, *Discourse on the Origins of Inequality*, p. xiv.

⁹³ *Ibid.*

⁹⁴ *Ibid.*, p. 35.

⁹⁵ Rousseau, Jean-Jacques. *Discourse on the Sciences and Arts and Polemics*, eds. Roger D. Masters, and Christopher Kelly (Hanover: University Press of New England, 1992), p. 194.

mentioned above, for Rousseau, man is motivated by self love, and this is also the reason of his neutral or innocent attitude towards others. Melzer thinks that being in conflict with others could only trouble inner repose of man rather than being useful for himself.⁹⁶ Grimsley agreeing with Melzer claims that man as a creature of instinct is at peace with himself and with other beings as well and he is faithful to his own nature,⁹⁷ therefore, nothing can drive him into conflict with others. Briefly, for Rousseau, man's true nature is inclined to the well being of others as well.

So far, it is discussed that self sufficiency of natural man is one of the most important characteristic of Rousseau's human being, as it implies goodness and happiness before formation of political body. It can also be regarded as the reason of unlimited liberty in state of nature. Rousseau's ideas concerning independence of natural man clearly contributes to his accounts of human nature, and his criticisms to Hobbes related with natural state of man.⁹⁸

As it is mentioned above, Rousseau agreed with Hobbes in denying primitive man the moral sense and sociability but what he criticized in Hobbes' theory was his emphasis on passions and his account of human beings based on his theory of passions. According to Rousseau, Hobbes' error was to overestimate the power of natural man; to illustrate Hobbes attributed a number of qualities such as foresight, pride and fear of violent death which could only be products of society.⁹⁹ Yet, Rousseau thinks that natural man could only will, desire and fear as his soul is not capable to

⁹⁶ Melzer, *The Natural Goodness of Man*, p. 16.

⁹⁷ Grimsley, *The Philosophy of Rousseau*, p. 34.

⁹⁸ *Ibid.*, p. 117; Starobinski, *Jean- Jacques Rousseau, Transparency and Obstruction*, p. 25.

⁹⁹ Rousseau, *Discourse on the Origins of Inequality*, pp. xiv-xvi.

have other passions of Hobbes' man.¹⁰⁰ Explicitly, Rousseau's natural man could not have unlimited passions like man of Hobbes:

With the sole exception of the Physically necessary, which Nature itself demands, all our other needs are such only by habit, having previously not been needs, or by our desires; and one does not desire that which he is not capable of knowing. From which it follows that Savage man, desiring only the things he knows and knowing only those things the possession of which is in his power or easily acquired, nothing should be so tranquil as his soul and nothing so limited as his mind.¹⁰¹

Similarly, in *Leviathan*, Hobbes claims that “[f]elicity is a continual progress of the desire from one object to another, the attaining of the former being still but the way to the latter”¹⁰², and in *The Elements of Law*, he says life is a race without a finish line, in which “continually to out go the next before, is felicity. And to forsake the course, is to die”.¹⁰³ Additionally, Melzer thinks that man, due to his unlimited passions “feels himself only in pressing against what is other. He exists only in moving ever forward, opposing or appropriating what is not him”.¹⁰⁴ Rousseau, by criticizing passions of Hobbes' man, “replaces the aggressive or rational egoism of Hobbes with the more passive and instinctive self-preservation of isolated animals”.¹⁰⁵

As was mentioned, Rousseau thought that man's first care is that of his preservation and for him the state of nature is a state, in which the care of

¹⁰⁰ *Ibid.*, p. 27.

¹⁰¹ *Ibid.*, p. 74.

¹⁰² Hobbes, *Leviathan*, p. 70.

¹⁰³ Hobbes, Thomas. *The Elements of Law*, in *Body, Man, and Citizens: Selections from Thomas Hobbes*, ed. Richard S. Peters (London: Collier Macmillan, 1962), p. 225.

¹⁰⁴ Melzer, *The Natural Goodness of Man*, p. 35.

¹⁰⁵ Rousseau, *Discourse on the Origins of Inequality*, p. xxiv.

our self preservation is the least prejudicial to the self preservation of other people, for that reason, it is the best state which is suited to peace.¹⁰⁶ However, for Hobbes, self preservation is not caused by the attraction of self love of one's being because life has no positive content in Hobbes' system; rather self preservation is for overcoming of death for him. According to Rousseau, Hobbes included the need to satisfy a multitude of passions which are the products of society in man's care of self preservation.¹⁰⁷ Thus, for Rousseau, Hobbes turned the most suitable state for peace into state of quarrel.

Actually, for Rousseau, Hobbes' state of war is the result of political society. According to him natural man was:

Wondering in the forests, without industry, without speech, without domicile, without war, without liaisons, with no need of his fellows, likewise with no desire to harm them, perhaps never even recognizing anyone individually, Savage man, subject to few passions and self sufficient, had only the feelings and intellect suited to that state; he felt only his true needs, saw only what he believed he had an interest to see; and his intelligence made no more progress than his vanity.¹⁰⁸

But, after becoming sociable, men are deteriorated. Although everything was good in state of nature, those deteriorated men make them evil.¹⁰⁹ In *Discourse on the Origins of Inequality*, Rousseau tries to clarify his account by giving example from animals and says that animals like horse, cat and bull are taller, stronger and courageous in the forest than in our houses. "They lose half of these advantages in becoming domesticated, and it might be said that all our cares to treat and feed these animals well end only in

¹⁰⁶ *Ibid.*, p. 35.

¹⁰⁷ *Ibid.*

¹⁰⁸ *Ibid.*, p. 40.

¹⁰⁹ Rousseau, *Emile*, p. 5.

their degeneration”,¹¹⁰ and the situation is same for man, while he is becoming sociable, he becomes weak, fearful and servile, in short he is degenerated. In other words as Starobinski says that “[t]he distance between man and nature- a distance created by the artifice to which man restored in order to dominate his environment- was increased”.¹¹¹

Unlike Hobbes who argues that people kill, rape and steal from each other because they have not been civilized enough in state of nature,¹¹² Grimsley says that the state of mutual enmity, which Hobbes attributed to natural man exists in civil state of Rousseau because “[t]he inequality created by property produced anxiety, insecurity, and conflict, as each man struggled to become as rich and as powerful as possible and to put himself above others”.¹¹³ Moreover, after being civilized “men hid behind their masks in order to satisfy their hidden desire to achieve their own profit at others’ expense”.¹¹⁴ Although the natural man is incapable of pride, hatred or vice, society, by developing their faculties, causes corruption in main characteristics of natural man. Society “brings men to hate each other in proportion to the conflict of their interests, to render each other apparent services and in fact do every imaginable harm to one another”.¹¹⁵ In *Social Contract*, Rousseau wrote that all are born equal,¹¹⁶ and he added in *Discourse on the Origins of Inequality* that although nature had established equality among men, it is the men who instituted inequality.¹¹⁷ Differences

¹¹⁰ Rousseau, *Discourse on the Origins of Inequality*, p. 24.

¹¹¹ Starobinski, *Jean- Jacques Rousseau, Transparency and Obstruction*, pp. 26-27.

¹¹² Hocutt, M. “Compassion without Charity, Freedom without Liberty: The Political Fantasies of Jean-Jacques Rousseau”, p. 173.

¹¹³ Grimsley, *The Philosophy of Rousseau*, p. 39.

¹¹⁴ *Ibid.*

¹¹⁵ Rousseau, *Discourse on the Origins of Inequality*, p. 74.

¹¹⁶ Rousseau, *Social Contract*, p. 132.

¹¹⁷ Rousseau, *Discourse on the Origins of Inequality*, p. 3.

in age, strength and wit do not matter in the state of nature but they become important characteristics in society since society creates a desire in men to surpass others. Therefore, in politic bodies, inequality is inevitable and this is the reason why state of mutual enmity which Hobbes attributed to natural state exists, for Rousseau, in civil state.

Rousseau criticized Hobbes' account of freedom in primitive state as well. Another difference in their theories, which Rousseau criticized Hobbes is the account of freedom in natural state. In *Discourse on the Origins of Inequality*, Rousseau argues that, for Hobbes, "man is naturally intrepid and seeks only to attack and fight".¹¹⁸ However, Rousseau thinks that natural man has the option of accepting, leaving or fighting,¹¹⁹ and this is the main difference between animal and man in the state of nature, and it is also the indication of freedom of choice of natural man. Rousseau's natural man is slave of his passions but still he has free will of his own. An animal chooses or rejects something by its instinct whereas man chooses by an act of freedom. As Grimsley suggests, Rousseau's primitive man "is not a merely static being obeying fixed laws, like the physical world, for he chooses the meaning and direction of his life; it is his freedom which is his distinctive attribute".¹²⁰ Rousseau emphasizes the importance of free will:

Nature commands every animal, and the Beast obeys, Man feels the same impetus, but he realizes that he is free to acquiesce or resist; and it is above all in the consciousness of this freedom that the spirituality of his soul is shown. For Physics explains in some way the mechanism of the senses and the formation of the ideas; but in the power of willing, or rather of choosing, and in the sentiment of this power are found only purely spiritual acts about which the Laws of Mechanics explain nothing.¹²¹

¹¹⁸ *Ibid.*, p. 21.

¹¹⁹ *Ibid.*, p. 22.

¹²⁰ Grimsley, *The Philosophy of Rousseau*, p. 159.

¹²¹ Rousseau, *Discourse on the Origins of Inequality*, p. 26.

In this part, I tried to discuss their accounts on human nature by comparing them and stressing their differences concerning natural man. Unlike Hobbes who attributed an evil nature to natural man, Rousseau emphasized natural goodness of primitive man, and he tried to explain corruption and degeneration among man by means of the formation of the civil association. In the next part, I will focus on their justifications of setting up a civil association and the reasons for transformation into political state.

2.3 Justification of Setting up a Political Society

In his *Politics*, Aristotle maintained that “men’s deepest and most powerful aspirations can be fulfilled only in and through political association”,¹²² similarly Hobbes and Rousseau think that human nature necessitates the establishment of a political society. However, they claim that men are not political animals, and society is not natural. They think that political society is not against human nature, rather it is an artificial product created by human beings as an essential agent for them in order to survive. Men in the state of nature having unlimited freedom choose to enter into a political society because of their needs. Although natural men of both of these philosophers are different, they introduce the necessity of political society and a common authority in order to enjoy a peaceful and secure life.

2.3.1 Hobbes’ Rationalization of “Leviathan”

Rapaczynski states that “the immediately presocial condition of man is that of a struggle for survival that makes security the paramount concern of each individual”.¹²³ Similarly, Hobbes as being concerned with the safety of the society claims that security is the most important element of his commonwealth, and accordingly Hobbes justified the formation of society

¹²² Aristotle, *The Complete Works of Aristotle*, p. 499.

¹²³ Rapaczynski, *Nature and Politics*, p. 9.

by means of his concepts of security and fear, which is clear in his works *Leviathan* and *De Cive*.

Like his descriptions of the state of nature, Hobbes' political conclusions are based on his account of passions. In *Leviathan*, he asserts that "[t]he passions that incline men to peace are: fear of death; desire of such things as are necessary to commodious living; and a hope by their industry to obtain them".¹²⁴ As Hobbes did not pay much attention to self love like Rousseau, he gives emphasis to self interest, apart from fear of death in formation of the society. McNeilly argues that, for Hobbes, "when we seek society, it is either for profit or for glory- that is, not so much for the love of others as for the love of ourselves".¹²⁵

According to Alan Ryan, Hobbes spent much of *Leviathan* "trying to persuade readers to keep their eyes on the object of fear as the main motive to keep covenant",¹²⁶ and that can easily be realized that the object of fear in his theory is strongly related with self interest because he based his theory on the principle of self preservation and since formation of a society through fear serves for self preservation, consequently, it serves for self interest of the agents. In other words, Hobbes grounds political obligation on fear and says that it is for subjects' interest to participate in a society and to obey the law. People "who subject themselves to another through fear either submit to the person they fear or submit to some other whom they trust for protection,¹²⁷ therefore obeying one because of fear also serves for man's

¹²⁴ Hobbes, *Leviathan*, p. 90.

¹²⁵ McNeilly, *The Anatomy of Leviathan*, p. 11.

¹²⁶ Hobbes, *De Cive*, pp. 71-72. See also Ryan, Alan. "Hobbes's Political Philosophy" in *The Cambridge Companion to Hobbes*, ed. Tom Sorell (Cambridge: Cambridge University Press, 1996), p. 225.

¹²⁷ *Ibid.*, p. 74.

interest since the only alternative to obeying a sovereign is state of war in which man has the risk of losing his life.

Hobbes rationalizes the formation of a political society by depending on self interest and passions of man. For him, man should enter into society for his own sake. As men in the state of nature cannot expect long preservation because of their natural equality of strength and other faculties,¹²⁸ and their willingness to hurt each other,¹²⁹ Hobbes treats the establishment of society as man's rational attempt to find peace and security. For Hobbes, fear is a major motive to drive natural man to set up a sovereign that is to say "[f]ear of oppression disposeth a man to anticipate or to seek aid by society: for there is no other way by which a man can secure his life and liberty".¹³⁰

It will be useful to stress Hobbes' fear due to its importance in his obligation theory, which is the primary focus of this thesis. 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",¹³¹ therefore, fear is essential both before formation of society and for the continuance of it.

Hobbes says that a commonwealth by acquisition "differeth from sovereignty by institution only in this, that men who choose their sovereign do it for fear of one another, and not of him whom they institute: but in this case, they subject themselves to him they are afraid of. In both cases they do

¹²⁸ *Ibid.*, p. 31.

¹²⁹ *Ibid.*, pp. 25-26.

¹³⁰ Hobbes, *Leviathan*, pp. 71-72.

¹³¹ Hobbes, *De Cive*, pp. 38, 84. See also Medina, Vicente. *Social Contract Theories: Political Obligation or Anarchy?* (Savage: Md.: Rowman & Littlefield Publishers, 1990), p. 18.

it for fear”,¹³² simply we enter into political society only because we are afraid of others. At this point, lots of objections are made to his views on fear. 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.¹³³

Sommerville asserts that Hobbes uses fear to “denote a reasonable, well-grounded fear”,¹³⁴ 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.¹³⁵ 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”.¹³⁶ 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.

¹³² Hobbes, *Leviathan*, p. 138.

¹³³ Hobbes, *De Cive*, p. 25.

¹³⁴ Sommerville, *Thomas Hobbes*, p. 33.

¹³⁵ Hobbes, *De Cive*, p. 38.

¹³⁶ Hobbes, *Leviathan*, p. 97.

Furthermore, it is important to discuss Hobbes' views on natural rights and natural laws and their meanings in state of nature and their effects on the formation of a society. Hobbes claims in *De Cive* that, "[t]he Natural Law is the dictate of right reason about what should be done or not done for the longest possible preservation of life and limb".¹³⁷ Similarly, in *Leviathan*, he argues that reason suggests us convenient articles of peace which are called the laws of nature.¹³⁸ Hobbes' laws of nature command us to seek peace or perform covenants since; "[a]ll these natural precepts are derived from just one dictate of reason, that presses on us our own preservation and security".¹³⁹

The laws of nature contribute to social order and secure environment in a political society, and if man finds these laws by his reason it is practical for him to be a part of a commonwealth for his own sake. Otherwise, man could never obtain a peaceful society to enjoy his life and liberty, and when he tries to satisfy his needs and desires he unavoidably causes war of all.¹⁴⁰

After the justification of setting up a society, it will be useful to mention Hobbes' account on the justification of power in a society. For him, man should obey a common power due to his desires of ease, sensual delight and fear of death.¹⁴¹ Since our passions avoid us of obeying a common authority and being a part of a commonwealth, a coercive authority is essential in order to provide security and order in a civil state. "No accord or association based on agreement can give the security required for the practice of natural justice, without some common power to control individuals by instilling a

¹³⁷ Hobbes, *De Cive*, p. 33.

¹³⁸ Hobbes, *Leviathan*, p. 90.

¹³⁹ Hobbes, *De Cive*, p. 53.

¹⁴⁰ See also McNeilly, *The Anatomy of Leviathan*, p. 140; and Mintz, *The Hunting of Leviathan*, p. 32.

¹⁴¹ Hobbes, *Leviathan*, p. 70.

fear of punishment”.¹⁴² Hobbes also says that only a common authority ties people by fear of punishment and forces them to the performance of their covenants.¹⁴³ Briefly, in *De Cive*, Hobbes explains the necessity for a common power that “something is needed, an element of fear, to prevent an accord on peace and mutual assistance for a common good from collapsing in discord when a private good subsequently comes into conflict with the common good”.¹⁴⁴

Hobbes defines state of nature without a common force as a state of insecurity in which men are enemies to each other. Having unlimited passions, Hobbes’ natural man has to use his power in order to survive. He argues that:

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 sea; no commodious building; no instruments of moving and removing 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.¹⁴⁵

Consequently, it is reasonable and practical for man to enter a society since “[o]utside the commonwealth is the empire of the passions, war, fear, poverty, nastiness, solitude, barbarity, ignorance, savagery; within the commonwealth is the empire of reason, peace, security, wealth, splendour, society, good taste, the sciences and good-will”.¹⁴⁶

¹⁴² Hobbes, *De Cive*, p. 72.

¹⁴³ Hobbes, *Leviathan*, p. 117.

¹⁴⁴ Hobbes, *De Cive*, p. 71.

¹⁴⁵ Hobbes, *Leviathan*, p. 89.

¹⁴⁶ Hobbes, *De Cive*, p. 116.

To sum up, there is absolutely the need for a commonwealth and a common power since men could not rule themselves individually, in other words they can not live according to natural laws.¹⁴⁷

2.3.2 Rousseau's Rationalization of Politic Body

Like Hobbes who introduces fear of death as the main passion which inclines men to peace,¹⁴⁸ Rousseau also draws attention to death as an important element for setting up a society. "An animal will never know what it is to die; and knowledge of death and its terrors is one of the first acquisitions that man has made in moving away from the animal condition",¹⁴⁹ that is to say man realizes his being and tries to preserve himself from death, and this is the reason why he wants to enter into a society.

Rousseau says that when:

[M]en have reached the point where obstacles to their self-preservation in the state of nature prevail by their resistance over the forces each individual can use to maintain himself in that state, then that primitive state can no longer subsist and the human race would perish if it did not change its manner of living.¹⁵⁰

In other words, in order to survive, man has to enter a commonwealth. Grimsley states that this argument of Rousseau sounds as if man enters into a society only because of the pressure of external circumstances not through

¹⁴⁷ Hobbes, *De Cive*, p. 84.

¹⁴⁸ Hobbes, *Leviathan*, p. 90.

¹⁴⁹ Rousseau, *Discourse on the Origins of Inequality*, p. 27.

¹⁵⁰ Rousseau, *Social Contract*, p. 138.

his own free will.¹⁵¹ But, it cannot be denied that natural men of Rousseau voluntarily choose to unite their forces and form an aggregation mainly for their preservation. For Rousseau, “[t]he end of political association is the preservation and prosperity of its members”.¹⁵² Thus, people want to avoid unsecured environment of the state of nature and they leave aside their unlimited advantages and give promises in order to gain other advantages in return which are guaranteed by means of a contract in a civil society.

According to Rousseau, private interests in state of nature and their opposition is one of the important reasons for the establishment of societies.¹⁵³ Therefore, in order to eliminate oppositions and realize the transition from state of nature to civil state, men should disregard their private interests and unite under a common good. For Rousseau, the group of men becomes an association, not an aggregation, only by common good or body politic.¹⁵⁴

As he claims in *Discourse on the Origins of Inequality*, the idea of social contract emerges in order to protect the weak from oppression and to secure the possessions of the rich and poor by uniting them:

[Men] institute regulations of justice and peace to which all are obliged to conform, which make an exception of no one, and which compensate in some way for the caprices of fortune by equally subjecting the powerful and the weak to mutual duties. In a word, instead of turning our forces against ourselves, let us gather them into one supreme power which governs us according to wise Laws, protects and defends all the members of

¹⁵¹ Grimsley, *The Philosophy of Rousseau*, p. 117.

¹⁵² Rousseau, *Social Contract*, p. 185.

¹⁵³ *Ibid.*, p. 145.

¹⁵⁴ *Ibid.*, p. 137.

the association, repulses common enemies, and maintains us in an eternal concord.¹⁵⁵

In other words, political society is inevitable for Rousseau as the idea of social contract is remedy for the problems in the state of nature. Common good, not the common fear of Hobbes, is the main motive in entering into a society and it is the natural law which makes all men agree among themselves for the common utility.¹⁵⁶ Similar to Hobbes, whose laws of nature contribute to social order and lead man to be a part of a commonwealth, Rousseau's laws of nature direct natural man to unite under a commonwealth for their own sake.

Rousseau maintains that in order to obtain social order, the nature of man should be improved by the society. Both Hobbes and Rousseau claim that primitive man is an instinctive creature without intellectual and moral attributes but what differentiates their thought is that Hobbes asserts that man's aggressive and self seeking nature could not be changed and people can be moral only by the constraints to which they are subjected; explicitly his inner nature is not capable of change and he remains just as selfish and aggressive as before.¹⁵⁷ However, Rousseau thinks that men have capacity for development and improvement, society has such a role that it develops their rationality and provides freedom for human beings who were dominated by their feelings and passions in the state of nature. For Rousseau, there is a new nature created by a deliberate act of will and it provides transformation into civil society:

This passage from the state of nature to the civil state produces a remarkable change in man, by substituting justice for instinct in

¹⁵⁵ Rousseau, *Discourse on the Origins of Inequality*, p. 54.

¹⁵⁶ *Ibid.*, p. 14.

¹⁵⁷ Grimsley, *The Philosophy of Rousseau*, p. 33.

his behavior and giving his actions the morality they previously lacked.¹⁵⁸

Therefore, natural man without moral sense or social feeling acquires a moral outlook and knowledge of right or wrong in the civil state.¹⁵⁹ As Jouvanel suggests, for Rousseau, man cannot become a real human being with moral values in state of nature, and he realizes his being only in a commonwealth, that is to say although man is naturally a solitary individual, he is an impossibility without the group.¹⁶⁰

In the formation of a commonwealth man renounces his unlimited freedom and accepts subjection to laws and authority in order to attain advantageous conditions. After its establishment “[h]is faculties are exercised and developed, his ideas enlarged, his sentiments ennobled, his entire soul is elevated”.¹⁶¹ In other words, for Rousseau, people do not act according to their appetite or physical impulsions in a political state but they consult their reason and they act out of duty and right.

Although it can be argued that natural freedom of people are destroyed and people meet their chains by means of a political establishment, there is an exchange in the formation of the society:

[T]hey have only exchanged to their advantage an uncertain, precarious mode of existence for another that is better and safer; natural independence for freedom; the power to harm others for their personal safety; and their force, which others could overcome for a right which the social union makes invincible.¹⁶²

¹⁵⁸ Rousseau, *Social Contract*, p. 141.

¹⁵⁹ Grimsley, *The Philosophy of Rousseau*, p. 116.

¹⁶⁰ Jouvanel, *Sovereignty*, p.56.

¹⁶¹ Rousseau, *Social Contract*, p. 141.

¹⁶² *Ibid.*, p. 150.

In short, the transformation from state of nature to civil society in Rousseau's political theory is the history of liberation.

Like Hobbes, Rousseau asserts that political society is established because of the needs of human beings and it wholly depends on the human will. For that reason, Rousseau agrees with Hobbes and thinks that a universal and compulsory force is necessary to provide social order and the harmony between individuals.¹⁶³ According to these philosophers, the existence of an authority is essential for the preservation and prosperity of the members of the commonwealth. Although both Hobbes and Rousseau emphasize the advantages of subjects, Hobbes focuses on self interest more than Rousseau. McNeilly says that “[a]ccording to the egoist all human action, if motivated at all, is motivated by the agent's desire to promote his own advantage or interest”.¹⁶⁴ Therefore, it can be claimed that Hobbes, unlike Rousseau, appears to be egoistic and it is clear that he pays more attention to self interest than Rousseau.

In this chapter, I discussed Hobbes' and Rousseau's accounts on human nature and their rationalizations of political society. In the next chapter, my aim is to answer questions such as how commonwealth is formed, in other words, how individuals unite under a commonwealth by means of a single will and common good, what their duties and rights are and how they are obliged and become subjects of a sovereign.

¹⁶³ *Ibid.*, p. 141.

¹⁶⁴ McNeilly, *The Anatomy of Leviathan*, p. 97.

CHAPTER 3

THE IDEA OF SOCIAL CONTRACT AND THE THEORY OF OBLIGATION

As it was analyzed in the second chapter, Hobbes and Rousseau focus on the evolution into civil state. In modern philosophy, the Social Contract tradition has begun with Hobbes and developed by Rousseau. This chapter aims to explain the meaning of social contract in order to discuss the rationalization of political obligation.

“Why does the citizen have a duty to obey the laws of the State? This is the problem of the grounds of political obligation”.¹⁶⁵ The answer to this question is that the citizen is obliged to obey the laws of the State because the State has sovereign authority. Since political theories of Hobbes and Rousseau try to justify political obligation by an implicit promise which is the product of a voluntary association, their accounts on the formation of political society should be discussed. In order to understand political obligation to the sovereign authority, I will try to explain Hobbes’ concept of authorization and Rousseau’s notion of consent.

¹⁶⁵ Raphael, David D. *Problems of Political Philosophy* (New York: Praeger Publishers, 1970), p. 78.

3.1 Hobbes' and Rousseau's Ideas on Social Contract

Hobbes states that “the skill of making and maintaining Commonwealths consisteth in certain rules, as doth arithmetic and geometry”.¹⁶⁶ He introduces his ideas on renunciation of rights and authorization and then he justifies political obligation within a commonwealth. “[A]uthorization, rather than covenant, is the dominant metaphor in Hobbes’ political thought, and that authorization is a much more adequate and illuminating metaphor for the formulation and discussion of political relationships”¹⁶⁷ because he explains all his theory by means of authorization, and he gives men positive role in the political society. Similarly, Rousseau thinks that man is the author of his life, namely he 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 role of the subjects.

According to Hobbes, an individual member voluntarily alienates himself totally from the whole community together with all his rights except from the right to live, that is man cannot hurt, accuse or kill himself and his right of living cannot be transferred to the sovereign.¹⁶⁸ Moreover, he adds that “though a man may covenant thus, unless I do so, or so, kill me; he cannot covenant thus, unless I do so, or so, I will not resist you when you come to kill me”.¹⁶⁹ Thus, subjects still retain some elements of their natural liberty, they do not voluntarily give away the rights on their lives. The subjects

¹⁶⁶ Hobbes, *Leviathan*, p. 145.

¹⁶⁷ Gauthier, *The Logic of Leviathan*, p. 171.

¹⁶⁸ Hobbes, *Leviathan*, pp. 98, 151.

¹⁶⁹ *Ibid.*

could not be obligated to kill themselves or to kill another man and they have right to refuse to perform dangerous duties for his life.¹⁷⁰

It was explained in the former chapter that man becomes a part of a commonwealth in order to live in secure conditions.¹⁷¹ Hobbes claims in *Leviathan* that when man performs an act voluntarily, it is strictly determined by the individual's assessment of his own best interest.¹⁷² That is to say, being in a commonwealth is the man's decision and he does it for his own sake.

Hobbes introduces natural laws to justify the transformation into a civil state. For Hobbes, the first of the natural laws is that "the right of all men to all things must not be held on to; certain rights must be transferred or abandoned".¹⁷³ One who does not give up his right to all things is acting contrary to the reason and to the ways of peace. Therefore, laws of nature instruct necessary means of securing peace to make a reciprocal transfer of their certain rights.¹⁷⁴

Man in Hobbes' theory lays down his right to all things to achieve peace and to defend himself, and he is "contented with so much liberty against other men as he would allow other men against himself".¹⁷⁵ In short, man prefers enjoying his limited rights in security to unlimited rights in state of war.¹⁷⁶ It

¹⁷⁰ *Ibid.*, p. 151. See also Goldsmith, M. M. "Hobbes on Law" in *The Cambridge Companion to Hobbes*, ed. Tom Sorell (Cambridge: Cambridge University Press, 1996), p. 286.

¹⁷¹ See Chapter 1 at the pages 6-7. See also Hobbes, *De Cive*, p. 31; Hobbes, *Leviathan*, p. 71; and Rousseau, *Social Contract*, p. 185.

¹⁷² Hobbes, *De Cive*, p. 28. See also Mintz, *The Hunting of Leviathan*, p. 103.

¹⁷³ Hobbes, *De Cive*, p. 34.

¹⁷⁴ *Ibid.*, p. 44.

¹⁷⁵ Hobbes, *Leviathan*, p. 92.

¹⁷⁶ Hobbes, *De Cive*, p. 116.

can be argued that man gives up his rights with an intention of some good to himself, because if one gives up something voluntarily, Hobbes says, his aim is his own good in return.¹⁷⁷ Thus, the main motive for renouncing or transferring of his rights is security of his life and the means for preserving it.

Political society begins when the natural rights of citizens end. In fact, in the formation of a political society, mutual transferring of natural rights is essential because, as Gauthier argues, “[w]hat Hobbes intends is that each party to the covenant agrees not to oppose the exercise of some right by the other, and this is achieved by laying down his own corresponding right”.¹⁷⁸ Each man in the state of nature should renounce their policy of violence as the natural right of each and Hobbes calls this “contract”.¹⁷⁹

Except for the sovereign, all individuals renounce or transfer their rights to live in a society.

To lay down a man’s right to anything is to divest himself of the liberty of hindering another of the benefit of his own right to the same. For he that renounceth or passeth away his right giveth not to any other man a right which he had not before, because there is nothing to which every man had not right by nature, but only standeth out of his way that he may enjoy his own original right without hindrance from him, not without hindrance from another.¹⁸⁰

As a matter of fact subjects, voluntarily allow for the sovereign to do anything, for this is his pre-existing right, his natural right. It is worth

¹⁷⁷ Hobbes, *Leviathan*, p. 105.

¹⁷⁸ Gauthier, *The Logic of Leviathan*, p. 41.

¹⁷⁹ Martin, Rex. “Hobbes and the Doctrine of Natural Rights: The Place of Consent in his Political Philosophy”, *The Western Political Quarterly*, 33/3 (1980), p. 382.

¹⁸⁰ Hobbes, *Leviathan*, p. 92.

quoting Riley to make this point clear: “Giving rights to a sovereign, then, is rather like tearing down everyone’s walls except the ruler’s; in a transfer we allow the sovereign his full natural right while curbing our own”.¹⁸¹ To sum up, Hobbes introduces renunciation or transferring of rights for the individuals and for him the only agent remains with his unlimited rights in state of nature is the sovereign.

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.¹⁸² 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.¹⁸³

As was mentioned above, Hobbes says that man renounces his rights in order to obtain some good to himself, and Rousseau also thinks in the same way and argues that “it is only in society that man can be transformed from a stupid and limited animal into a free intelligent being and so escape from the bondage of appetite to enjoy the experience of justice and right”.¹⁸⁴ Man gives up his rights only for the sake of himself. Rousseau says “[t]o say that

¹⁸¹ Riley, Patrick. *Will and Political Legitimacy: A Critical Exposition of Social Contract Theory in Hobbes, Locke, Rousseau, Kant and Hegel* (Cambridge, Mass.: Harvard University Press, 1982), p. 51.

¹⁸² Melzer, *The Natural Goodness of Man*, p. 40. See also Rousseau, *Discourse on the Origins of Inequality*, pp. xiv-xvi, xxiv.

¹⁸³ Rousseau, *Discourse on The Origins of Inequality*, p. 56.

¹⁸⁴ Grimsley, *The Philosophy of Rousseau*, p. 92. See also Rousseau, *Social Contract*, pp. 135, 141-142, 150.

a man gives himself gratuitously is to say something absurd and inconceivable. Such an act is illegitimate and null”.¹⁸⁵ He also adds that:

[I]f some rights were left to private individuals, there would be no common superior who could judge between them and the public. Each man being his own judge on some point would soon claim to be so on all; the state of nature would subsist and the association would necessarily become tyrannical or ineffectual.¹⁸⁶

Explicitly men renounce all of their rights except the right of defending them and they establish a commonwealth.

Hobbes claims that “[t]he action of two or more persons reciprocally transferring their rights is called CONTRACT”.¹⁸⁷ What is important here is the mutual transferring of rights that is to say each individual should participate in it and say “I transfer my right to this man on condition that you transfer your right to him also”.¹⁸⁸ By means of this, Hobbes’ government is secured by a double obligation on the part of the citizens; one is the obligation to their fellow citizens and other one is the obligation to the ruler.¹⁸⁹ The multitude unites themselves under a sovereign by a covenant which is the covenant between all independent individuals. At this point Hobbes says that a commonwealth becomes the greatest of human powers since all the powers of individuals are gathered under the authority of the sovereign.¹⁹⁰ In other words, the rights of strength of all individuals are no longer the rights of themselves since these rights are renounced in order to be united; this means that the commonwealth turns out to be the greatest

¹⁸⁵ Rousseau, *Social Contract*, p. 134.

¹⁸⁶ *Ibid.*, p. 138.

¹⁸⁷ Hobbes, *De Cive*, p. 36.

¹⁸⁸ *Ibid.*, p. 90.

¹⁸⁹ *Ibid.*

¹⁹⁰ Hobbes, *Leviathan*, p. 62.

power, which is called, by Hobbes, Leviathan.¹⁹¹ For him, “[t]his is the generation of that great LEVIATHAN, or rather, to speak more reverently, of that mortal god to which we owe, under the immortal God, our peace and defense”.¹⁹²

Rousseau defines social contract in the following terms: “Each of us puts his person and all his power in common under the supreme direction of the general will; and in a body we receive each member as an indivisible part of the whole”.¹⁹³ He claims that social contract replaces physical inequality which nature has placed among mankind by moral and legitimate equality, in other words men who are unequal in force or in genius became equal by means of convention and right.¹⁹⁴ Everyone gives himself to the community and since the situation is same for all “what everyone ought to do can be prescribed by everyone, whereas no one has the right to require another to do what he himself does not do”.¹⁹⁵ According to Rousseau, the existence of an authority is legitimized because every member of the commonwealth becomes an indivisible part of it. He asserts that when these individuals obey the authority, he remains as free as before.¹⁹⁶

In addition to this, in Hobbes’ and Rousseau’s political theories sovereign has the very essential role in formation and maintaining the political association. Both agree that the establishing of a sovereign means creating of a commonwealth; “[t]he existence of a sovereign is both a necessary and

¹⁹¹ *Ibid.*, p. 9.

¹⁹² *Ibid.*, p. 120.

¹⁹³ Rousseau, *Social Contract*, p. 139.

¹⁹⁴ *Ibid.*, p. 144.

¹⁹⁵ *Ibid.*, p. 194.

¹⁹⁶ *Ibid.*, p. 137.

a sufficient condition of an ordered society”.¹⁹⁷ Since men are equal and no one has natural authority over others, it is the convention or agreement which gives sovereign the authority.¹⁹⁸ Thus, to give legitimacy to the authority means to create a commonwealth and it makes the restraints on men their duties as well.

According to Hobbes and Rousseau, it is the subjects who create a commonwealth and acknowledge an authority in order to get “practical advantage of seeing himself protected and assured in his individual life”.¹⁹⁹ For Gauthier, Hobbes tries to give active roles to the subjects as he thinks that “society is a real union, a union expressed in the person of the sovereign, which contains that of each member of the society”.²⁰⁰ Hobbes thinks that the wills of the subjects should be expressed in the commonwealth. In addition, Rousseau puts more emphasis on the active roles of subjects in civil state, and he argues that “[t]hrough the social compact we have given the body politic existence and life; the issue now is to give it movement and will through legislation”.²⁰¹ That is to say, although agents should transfer or renounce their unlimited rights existing in state of nature and become subjects to an authority in order to enjoy their limited rights in a secure environment, still they have positive roles which are clearly explained by the concepts of authorization and consent. Consent is the foundation of covenants and has central position in commonwealths. It

¹⁹⁷ McNeilly, *The Anatomy of Leviathan*, p. 218.

¹⁹⁸ See Hobbes, *De Cive*, p. 26; Hobbes, *Leviathan*, p. 86; and Rousseau, *Social Contract*, p. 134.

¹⁹⁹ Jouvenel, *Sovereignty*, p. 197.

²⁰⁰ Gauthier, *The Logic of Leviathan*, p. 112.

²⁰¹ Rousseau, *Social Contract*, p. 152.

provides political legitimacy of sovereign, gives active roles to subjects, and rationalizes obligation of citizens.²⁰²

3.2 Hobbes' "authorization" and Rousseau's "consent"

According to Martin, the notion of consent is identified with Hobbes' theory in the history of political philosophy,²⁰³ and Hobbes provides involvement of subjects in the actions of sovereign and rationalizes political obligation by means of it. Clifford Orwin argues that consent, in fact authorization, is an illuminating political metaphor and a main step forward in Hobbes' political theory.²⁰⁴

In Hobbes' system, the relation between subject and sovereign is the relation between author and actor "which is neither natural nor social, but the basis for converting natural relationships into social relationships".²⁰⁵ As a matter of fact, men are naturally equal; no one could have an authority over others, however in social state one gets power and becomes an authority legitimately, and for Hobbes this alteration is possible only by the concept of authorization. La Boetie says that:

If we led our lives according to the ways intended by nature and the lessons taught by her, we should be intuitively obedient to our parents; later we should adopt reason as our guide and become slaves to nobody.²⁰⁶

²⁰² See also Martin, "Hobbes and the Doctrine of Natural Rights: The Place of Consent in his Political Philosophy".

²⁰³ *Ibid.*, p. 380.

²⁰⁴ Orwin, Clifford "On the Sovereign Authorization", *Political Theory*, 3/1 (1975), p. 28.

²⁰⁵ Gauthier, *The Logic of Leviathan*, p. 163.

²⁰⁶ La Boetie, E. *The Politics of Obedience: The Discourse of Voluntary Servitude* (New York: Black Rose Books, 1997), p. 55.

That is to say decision of becoming subject to an authority includes the act of his will and it could only be possible through authorization.

In Hobbes' vocabulary, person is an actor and "to personate is to act or to represent [someone who is the author]".²⁰⁷ Put another way when men, namely the authors, give up their rights of doing any action, sovereign as an artificial person "have their words and actions whom [he] represents".²⁰⁸ It bears other men, and acts in their name. Hobbes also says that "[b]y authority is always understood a right of doing any act; and [when an action is] done by authority, [it means that it is done] by commission or license from him whose right it is".²⁰⁹ By authorization, men make the plurality of their voices one and reduce their wills to the will of the sovereign.²¹⁰

Commonwealth turns to be a real unity of the subjects as they say "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".²¹¹ All subjects renounce or transfer their rights and authorize the sovereign in other words this authorization involves the exercise of all subjects that is all authors.²¹² It is useful to mention that according to Hobbes, "the transfer of a right depends not on words but on a declaration of will"²¹³. Therefore, his emphasis on the deliberate act of "will" of the subjects could be realized in his theory.

²⁰⁷ Hobbes, *Leviathan*, p. 112.

²⁰⁸ *Ibid.* See also Gauthier, *The Logic of Leviathan*, p. 124.

²⁰⁹ *Ibid.*

²¹⁰ *Ibid.*, p. 114.

²¹¹ *Ibid.*, p. 120.

²¹² See also Harman, John D. "Liberty, Rights, and Will in Hobbes: A Response to David Van Mill", *The Journal of Politics*, 59/3 (1997), pp. 899-900.

²¹³ Hobbes, *De Cive*, p. 35.

Although the right of nature is unlimited before establishment of an association, it does not give one the right to act for another person. “[Only] authorization does confer upon the actor a right which he did not previously possess”.²¹⁴ And at this point, it is worth focusing on this right to clarify Rousseau’s criticisms to Hobbes’ representation which will be discussed when analyzing freedom of subjects in the next chapter.

In introducing authorization, Hobbes’ main aim is to involve subjects in the sovereign. He thinks that subjects are the sources of all decisions but it is clear that such a decision making is practically possible only by representatives.²¹⁵ The will of the representative is not only one will but also “an authorized, representative will whose right to make law is derived from a previous obligation of subjects to obey”.²¹⁶ If sovereign as an artificial person has the right and power to conclude an agreement on the behalf of subjects, then that artificial man represents all subjects who authorized him.²¹⁷

Individuals give power and rights to the sovereign by authorizing him and as a consequence this actor which is acting by authority obtains the rights of making laws and obliging his authors:

In every commonwealth, the Man or Assembly to whose will individuals have subjected their will is said to hold Sovereign AUTHORITY or SOVEREIGN POWER or DOMINION. This Authority, this Right to give Commands consists in the fact that each of the citizens has transferred all his own force and power to that man or Assembly.²¹⁸

²¹⁴ Gauthier, *The Logic of Leviathan*, p. 124. See also Orwin, “On the Sovereign Authorization”, p. 26.

²¹⁵ Hobbes, *Leviathan*, p. 114.

²¹⁶ Riley, *Will and Political Legitimacy*, p. 48.

²¹⁷ Hobbes, *Leviathan*, p. 112. See also Gauthier, *The Logic of Leviathan*, p. 124.

²¹⁸ Hobbes, *De Cive*, p. 73.

Furthermore, it can be claimed that Hobbes' man is not obligated by a covenant of which he is not the author.²¹⁹ He is obliged only if the covenant arises from his act of will.²²⁰ That is to say, in Hobbes' system, man willingly participates in a covenant and acknowledges an authority by his own free will.

In fact, Hobbes thinks that power alone is not sufficient to substantiate political authority because if power is exercised unjustly by usurping power, people will never recognize it as a legitimate authority, for that reason, all of the subjects as the sources of decisions should acknowledge the sovereign.²²¹ As a result of this, it can be claimed that, apart from the force, Hobbes' political authority rests on legitimacy by authorization as well.

In agreeing with Hobbes, Rousseau defends the necessity of consent in legitimization of an authority. In *Social Contract*, he affirms that "the strongest is never strong enough to be the master forever unless he transforms his force into right and obedience into duty".²²² What he implies is that force does not make right unless it is acknowledged by the subjects. For him, the right of the conquest has no basis other than the law of the stronger.²²³ To put it in another way, the conqueror's power would not be legitimate when it wholly depends on force and if individuals do not give consent to it, the conqueror could not have any right or authority.

Furthermore, like Hobbes, Rousseau claims that one is obligated to obey only legitimate powers. Therefore, it is necessary for the people "to be

²¹⁹ Hobbes, *Leviathan*, p. 112.

²²⁰ Riley, *Will and Political Legitimacy*, p. 43.

²²¹ See also Raphael, *Problems of Political Philosophy*; and Plamenatz, *Consent, Freedom and Political Obligation*, p. 170.

²²² Rousseau, *Social Contract*, p.133.

²²³ *Ibid.*, 36.

master of its acceptance or rejection”.²²⁴ Since every man is born free, he cannot be subject to anyone without his own consent.

Actually all of Rousseau’s arguments are based on the idea that all men are born free and equal.²²⁵ In order to put emphasis on free will and equality, he defines family as the first model of political society and claims that children are “naturally united”²²⁶ to parents for preservation until they become “the judge of the proper means of preserving [themselves, therefore they become their] own master[s]”.²²⁷ Thus, after becoming independent beings, the society among family members endures if and only if they voluntarily agree to maintain it. In other words, “the family itself is maintained only by convention”.²²⁸ By means of the relation between children and parents, Rousseau indicates that human beings having reason cannot have subjection to any other being naturally, and he also introduces the importance of consent in the formation and maintenance of societies.

3.3 Sovereignty for Hobbes and Rousseau

In addition to “authorization” of Hobbes and “consent” of Rousseau, the united body and sovereign which the subjects voluntarily generate must be discussed. The important point is that the sovereign authorized by the subjects should unite its parts under a body and represents all of them without exception. For the creation of a united body the sovereign must be one and the only single will of the commonwealth. The unity of Hobbes’ commonwealth serves for Hobbes’ main aim, in fact he focuses on this unity in order to avoid anarchy and provide security. He says that the concept of

²²⁴ *Ibid.*, pp. 134-135.

²²⁵ Rousseau, *Social Contract*, p. 131.

²²⁶ *Ibid.*, p. 132.

²²⁷ *Ibid.*

²²⁸ *Ibid.*

authorization differs from concord; it is more than consent because it constitutes a real unity of men in one body and one person.²²⁹ In *Leviathan* Hobbes says that by authorization:

[Covenantors] 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 own and acknowledge himself to be author of whatsoever he that so bears their person shall act or cause to be acted in those things which concern the common peace and safety, and therein to submit their wills everyone to his will, and their judgments to his judgment.²³⁰

Therefore, disorderly 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.²³¹

Hobbes asserts in *De Cive* that “a crowd cannot make a promise or an agreement, acquire or transfer a right, do, have, possess, and so on, except separately or as individuals, so that there are as many promises, agreements, rights, and actions, as there are men”.²³² The multitude could not make agreements since each man in the crowd has his own will and his own judgment about every proposal. However, the union or the civil person has a single entity with a single will after the covenant is made:

In every commonwealth the People reigns; for even in Monarchies the People exercises power; for the people wills through the will of one man. But the citizens, i.e. the subjects, are a crowd. In a Democracy and in an Aristocracy the citizens

²²⁹ Hobbes, *Leviathan*, p. 120.

²³⁰ *Ibid.*

²³¹ Hobbes, *De Cive*, p. xl. See also Winch, Peter. “Man and Society in Hobbes and Rousseau” in *Hobbes and Rousseau: A Collection of Critical Essays*, eds. Maurice Cranston & Richards S. Peters. (Garden City, New York.: Anchor Books, 1972), p. 250.

²³² *Ibid.*, p. 75.

are a crowd, but the council is the people; in a Monarchy the subjects are a crowd, and the King is the people.²³³

In other words, Hobbes claims that a people is a civil person or a united will while a crowd is a body of individuals which has natural division among themselves.²³⁴ In *Leviathan*, the person in this sense becomes the Leviathan itself, and this submission of the wills of the multitude to the will of “person” is called “union” in his theory.²³⁵

In a monarchic form of government, a monarch or a tyrant has only two eyes, only two hands, and only one body, but he borrows so many arms and eyes from the multitude; he gets the arms and eyes that subjects owe.²³⁶ This is exactly the picture of mortal God, Leviathan whose body is different from all people. Leviathan having absolute power unifies all people within its body thus, even a tyrant could not have power independent from subjects, he could not represent the united will of the crowd by excluding wills of his subjects rather, he represents the words or actions of the multitude as he is authorized by the covenant.²³⁷

Gauthier thinks that for Hobbes the people as the multitude of the subjects is the agent of the people as well, that is to say this crowd is the sovereign in *Leviathan*: “Just as the sovereign both is and is not the people, so the people both is and is not the sovereign”.²³⁸ Warrender argues that due to the relationship between subjects and sovereign in Hobbes’ political theory, he

²³³ *Ibid.*, p. ii.

²³⁴ *Ibid.*, p. xxxii.

²³⁵ *Ibid.*, p. 72.

²³⁶ *Ibid.*, p. 143.

²³⁷ *Ibid.*, pp.73, 88, 137; Hobbes, *Leviathan*, p. 114.

²³⁸ Gauthier, *The Logic of Leviathan*, p. 175.

seems to have foreshadowed Rousseau's theory of General Will.²³⁹ At this point it will be useful to mention Rousseau's unified political body and his general will to compare them and clarify their differences.

Like those of Hobbes, Rousseau's subjects and sovereign are not two different parts of the commonwealth. For Rousseau, 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.²⁴⁰ In the *Social Contract* political society depends on the relation between each and all and this is the reason why these terms always exist together in Rousseau's theory. Grimsley says that "Rousseau's conception of sovereignty establishes this link between each and all by presupposing a complete reciprocity and equality of commitment".²⁴¹ It can also be said that Rousseau tries to bring individual powers together and he gives them a collective expression that is why there is radical collectivism in his theory.²⁴²

In the *Social Contract* Rousseau asserts that in the formation of a political society all men alienate themselves entirely to the whole community. Therefore, there are lots of people as the parts of the sovereign and variety of opinions and interests in the society. This situation necessitates a base where all interests agree in order to govern a society and this is general will for Rousseau.²⁴³

²³⁹ Warrender, *The Political Philosophy of Hobbes, His Theory of Obligation*, p. 129.

²⁴⁰ Rousseau, *Social Contract*, p. 139.

²⁴¹ Grimsley, *The Philosophy of Rousseau*, p. 100.

²⁴² See Melzer, *The Natural Goodness of Man*, for more information.

²⁴³ Rousseau, *Social Contract*, p. 139.

In political philosophy the idea of general will first appears in Rousseau's work.²⁴⁴ General will makes citizens combine their interests and duties towards politic society for the sake of themselves and for the sake of society as well. The relation between body and subjects should be discussed in order to understand general will and the role of common good. Rousseau asserts that when body politic is formed people become parts of the body without exception since no one has privilege and all are bound under the same conditions having the same rights. Each puts his person in common under the supreme direction of the general will, therefore, each member becomes an indivisible part of the whole body.²⁴⁵

Like Hobbes, Rousseau regards multitude of man as disorganized plurality which he calls herd. For him, that multitude cannot be an association without general will; therefore, each man dedicates himself to the fatherland for achieving common good.²⁴⁶ In other words, multitude turns to be one under sovereignty which is regarded as the exercise of the general will.²⁴⁷ Consequently they serve for achieving common good.

In Rousseau's theory, general will is the most significant concept and it is the only necessary reason to achieve common good. Iain Hampsher-Monk argues that "[t]he assumption behind the general will is that there is an objective common good, distinct from the particular interests or wishes of the individuals composing society".²⁴⁸ The aim is the preservation of common good for achieving social order. In politic body the individual realizes that he is no longer an isolated being, rather he is a part of the great

²⁴⁴ Raphael, *Problems of Political Philosophy*, p. 97.

²⁴⁵ Rousseau, *Social Contract*, p. 139.

²⁴⁶ *Ibid.*, p.137.

²⁴⁷ *Ibid.*, p.145.

²⁴⁸ Iain Hampsher-Monk, *A History of Modern Political Thought: Major Political Thinkers from Hobbes to Marx* (Oxford; Cambridge, Mass.: Blackwell, 1992), p. 181.

whole, and he, as an element of the society, understands that common good is for his own interest.²⁴⁹

In *Discourse on the Origins of Inequality*, Rousseau claims that it is the self interest of each citizen which encourages the subjects to agree for the common good,²⁵⁰ and the agreement of their interests made the establishment of society possible: “It is what these different interests have in common that forms the social bond, and if there were not some point at which all the interests are in agreement, no society could exist”.²⁵¹ In other words, what generalizes the will in Rousseau’s political thought is the common interest that unites them.²⁵²

After the formation of a single body, the single will aims at the well-being of the people and society. In such a united body, there could not be contradictory interests because special interests are replaced by the general will.²⁵³ Although an individual’s private will can be contrary to the general will, the citizen, by means of his reason, realizes that he owes his well-being to the common interest since “general will is always right and always tends towards the public utility”.²⁵⁴ Therefore, his special interest no longer remains in the politic body.

So far, Hobbes’ and Rousseau’s concepts like authorization, consent, multitude, sovereignty and general will are discussed. Now the obligation in the commonwealth which the subjects owe to sovereign can be examined. Grimsley suggests that “a truly unified society, like a truly unified

²⁴⁹ Rousseau, *Social Contract*, p. 137.

²⁵⁰ Rousseau, *Discourse on the Origins of Inequality*, p. 252.

²⁵¹ *Ibid.*, p. 145.

²⁵² *Ibid.*, p. 149.

²⁵³ *Ibid.*, p.199.

²⁵⁴ *Ibid.*, p. 147.

individual, will have succeeded in combining the two principles of freedom and order”.²⁵⁵ In order to deal with the question of freedom in the context of submission to the sovereign, now I would like to analyze political obligation to the sovereign in Hobbes’ and Rousseau’s theories

3.4 Obligation toward Sovereign Authority

Actually, in Hobbes’ and Rousseau’s political theories, political actions and obedience become absurd and tyrannical without consent and authorization. According to Warrender what validates law or covenant validates obligation as well.²⁵⁶ That is to say, consent, promise or agreement are the foundations of covenants and they are the fundamental elements in explaining political obligation.

As explained in the second chapter, the judge is one’s conscience in the state of nature, since there is no human authority. For Hobbes “[i]n the judgment of the person actually doing it, what is done is rightly done, even if it is a wrong, and so is rightly done”.²⁵⁷ There is no just or unjust; man is the measure of his interest. Subsequently, people assemble and agree upon a sovereign in order to set up a commonwealth and the combination of several wills under the form for a government is required. However, Hobbes claims that “a combination of several wills in the same end is not adequate to the preservation of peace and stable defense, it is required that there be a single will among all of them in matters essential to peace and defense”.²⁵⁸ In other words, the original assembly of the people becomes itself the sovereign; for, the decisions of the assembly bind everyone and it unites the wills of all into a single will. From now on, the single will is the only judge and sovereign is

²⁵⁵ Grimsley, *The Philosophy of Rousseau*, p. 163.

²⁵⁶ Warrender, *The Political Philosophy of Hobbes, His Theory of Obligation*, p. 94.

²⁵⁷ Hobbes, *De Cive*, p. 29.

²⁵⁸ *Ibid.*, p. 72.

the only authority to whom men owe obedience. Hobbes clarifies this point in *Leviathan*:

Right is laid aside, either by simply renouncing it, or by transferring it to another. By simply renouncing, when he cares not to whom the benefit thereof redoundeth. By transferring, when he intendeth the benefit thereof to some certain person or persons. And when a man hath in either manner abandoned or granted away his right, then is he said to be obliged, or bound, not to hinder those to whom such right is granted, or abandoned, from the benefit of it: and that he ought, and it is duty, not to make void that voluntary act of his own: and that such hindrance is injustice, and injury, as being sine jure; the right being before renounced or transferred.²⁵⁹

It can be argued that in Hobbes' theory the unity among people, namely the sovereign as the only legitimate authority is essential in the preservation of commonwealth and individuals, and, consequently, that obedience to sovereign is necessary. In 1633, divine Thomas Adams claims that "[a]ny King is better than no King, Tyranny is better than Anarchie".²⁶⁰ Even a despot king is better than being in a state of nature as the state of quarrel. According to Herzog, men without a leader or a chief are uncontrollable, disorderly and threat to harmony in commonwealths.²⁶¹ In fact, mankind could not achieve social order only by depending on laws of reason thus common power is necessary. Hobbes puts this as follows: "covenants, without the sword, are but words and of no strength to secure a man at all".²⁶²

²⁵⁹ Hobbes, *Leviathan*, pp. 92-93.

²⁶⁰ Adams, Thomas. *A Commentary or, Exposition upon the Divine Second Epistle Generall, written by the blessed apostle St. Peter*, 1633, quoted by Sommerville, *Thomas Hobbes: Political Ideas in Historical Context*, p. 83.

²⁶¹ Herzog, *Happy Slaves*, p. 161.

²⁶² Hobbes, *Leviathan*, p. 117.

In Hobbes' political theory power enables people to live in a secure environment, and it serves for the formation of a society. Jouvanel states that "were men deaf to all authority, they would have among them neither cooperation nor security-in short no Society".²⁶³ For Hobbes, the right of government could not be meaningful without obedience.²⁶⁴ Hobbes thinks that rationalization of the political obligation in a commonwealth depends on the idea that if one lives under an authority within a territory and uses all the advantages of it, this means that everyone in that territory is subject to its rules.²⁶⁵

As explained in the second chapter, Hobbes thinks that what encourages people to unite under a commonwealth is the fear among them. However, Raphael argues that for Hobbes fear alone does not make subjects oblige "unless there is the intermediate link of moral obligation created by a promise".²⁶⁶ According to Raphael, Hobbes' citizens have to obey the law both because they give promise to obey and because the alternative state to a political one is the state of nature in which men have risk of losing their lives.²⁶⁷ For Raphael it can be argued that in Hobbes' theory there is both prudential obligation because of fear and moral obligation because of authorization.

In Hobbes' theory, although the consent of subjects is grounded in fear, for Rapaczynski their fear of force is mediated by the ruler's right to command.²⁶⁸ For that reason, the main motive behind the subject's

²⁶³ Jouvanel, *Sovereignty*, p. 31.

²⁶⁴ Hobbes, *De Cive*, p. 82.

²⁶⁵ *Ibid.*, p. 84; Hobbes, *Leviathan*, pp. 123-124. See also Raphael, *Problems of Political Philosophy*, p. 43.

²⁶⁶ Raphael, *Problems of Political Philosophy*, p. 82.

²⁶⁷ *Ibid.*, p. 87.

²⁶⁸ Rapaczynski, *Nature and Politics*, p. 99.

obligation could not only be the fear of the common power, but also their consent to the authority provides moral obligation to obey the sovereign.

Warrender, one of the most important commentators on Hobbes' theory of obligation, claims that covenant is obligatory both because it is the essential step for the maintenance of peace and because the principle of keeping covenant has a moral status.²⁶⁹ At this point, it can be claimed that individual has an obligation to obey the commands of the sovereign because it is the sole judge of legitimacy. Once it is established, no further questions can be raised about his legitimacy.²⁷⁰ So, when the sovereign obtains such an authority which makes him able to get his own proposals accepted then people should obey his commands and accept his decrees.

Once people authorize the actions and words of the sovereign they have obligation of non resistance to him. For Warrender, they "indemnified the sovereign from accountability to himself".²⁷¹ Consequently, due to the fact that people had formerly obliged to obey the sovereign, they should obey his laws as well,²⁷² since the laws necessarily aim at common welfare.²⁷³

Like Saint Thomas Aquinas who told that "[j]ustice is a habit of mind which maintains in us a firm and unceasing determination to render to every man his due",²⁷⁴ Hobbes says that justice is a kind of equality which suggests that

²⁶⁹ Warrender, *The Political Philosophy of Hobbes, His Theory of Obligation*, p. 233.

²⁷⁰ Winch, "Man and Society in Hobbes and Rousseau" p. 253. See also Watkins, *Hobbes System of Ideas*, p.162.

²⁷¹ Warrender, *The Political Philosophy of Hobbes, His Theory of Obligation*, p. 111.

²⁷² Hobbes, *Leviathan*, p. 183.

²⁷³ Simon, Yves Rene Marie. *Freedom and Community*, ed. Charles P. O'Donnell, (New York: Fordham University Press, 1968), p. 27. See also Raphael, *Problems of Political Philosophy*, p. 64.

²⁷⁴ Saint Thomas Aquinas, *Summa Theologica*, Quaestio, LVIII, quoted by Jouvenel, *Sovereignty*, pp. 139-140.

one should not take more rights than others unless he acquires that right by an agreement.²⁷⁵ That is to say, since all are equal by nature, they should have the same rights and they should act according to their duties towards the sovereign for living in a just and peaceful society. However, as was mentioned before, maintaining such a just society is impossible without a coercive power which makes a covenant valid.²⁷⁶ Power compels men to perform their covenants by means of the terror of punishment.²⁷⁷ Agreeing with Hobbes, Steve Beackon and Andrew Reeve argue that “covenants without a coercive power do not lead to a change in behavior but where there is a common power above them, the situation is different because the rational calculation is different”.²⁷⁸ According to Riley, although Hobbes emphasizes that fear is not sufficient condition of political justice, he introduces it as a necessary condition²⁷⁹ since for Hobbes terror constrains people who has intention to violate their faith and it directs them to be just.²⁸⁰

In other words, the common power provides a motive to keep the law for anyone who lacks a sufficient motive, and also it is a guarantee that the law will not be broken with impunity.²⁸¹ Additionally, even though man has unlimited rights before an authority is established, sovereign redistributes these rights by guaranteeing them. Therefore, if there is no force which guarantees the rights of the subject, he will not have any more rights, they

²⁷⁵ Hobbes, *De Cive*, p. 47.

²⁷⁶ Hobbes, *Leviathan*, p. 101.

²⁷⁷ *Ibid.*, p. 100; Hobbes, *De Cive*, pp. 71-72.

²⁷⁸ Beackon, Steve & Reeve, Andrew. “The Benefits of Reasonable Conduct: The Leviathan Theory of Obligation”, *Political Theory*, 4/4 (1976), p. 434.

²⁷⁹ Riley, *Will and Political Legitimacy*, p. 52.

²⁸⁰ Hobbes, *Leviathan*, p. 96.

²⁸¹ McNeilly, *The Anatomy of Leviathan*, p. 189.

cease to be; “he must either submit to [sovereign’s] decrees or be left in the condition of war he was in before”.²⁸²

It is obvious that the main aim of Hobbes’ civil power is protection. It provides civil order and protects the subjects from foreign forces invasion: “Security is the End for which men subject themselves to others”.²⁸³ In brief, men’s subjection to some man or assembly is necessary for their preservation. Safety, for Hobbes, is not only the preservation of the lives of the citizen but it also implies protection of all other contentment of life which men attain without danger.²⁸⁴ In short, obedience to political authority is the best means to their own preservation and men’s security necessitates subjection of their wills.²⁸⁵ In Hobbes’ theory the nature and maintenance of commonwealth depend on this subjection.

As explained above, although force and fear are always in the background of all covenants,²⁸⁶ they are not sufficient conditions for preservation and well-being of commonwealth. Power alone makes people obliged to obey but it does not give a right or authority to the ruler. In other words, if there is only power, individuals obey because they are compelled by a coercive power but if they give their consents as well, this means that subjects have accepted the cause of fear, namely the authority. Raphael suggests that “[if] we give the citizen moral instead of prudential reasons for obedience, these can take the form of showing that he is not only obliged but is under obligation to the State, which correspondingly has a right to his

²⁸² Hobbes, *Leviathan*, p. 124.

²⁸³ Hobbes, *De Cive*, p. 77.

²⁸⁴ Hobbes, *Leviathan*, p. 231.

²⁸⁵ Warrender, *The Political Philosophy of Hobbes, His Theory of Obligation*, p. 150.

²⁸⁶ Rapaczynski, *Nature and Politics*, p. 109.

obedience”.²⁸⁷ Therefore, moral reasons for obedience are necessary as well as the civil power.

Moral obligation means to abide by one’s promises. In other words the answer to the question why am I morally bound to obey the will of the sovereign is because I authorized the sovereign and avouched his actions, that is to say I am bound by my own act.²⁸⁸ As long as man gives consent, he accepts that obeying the laws of sovereign is right for himself. Raphael says “[t]o acknowledge the claim from the thought that it is right to do so, is to admit a moral obligation”.²⁸⁹ Therefore it can be argued that by consenting someone’s authority, you put yourself under an obligation to do what it requires of you.²⁹⁰

Subjects have obligation to obey the laws of the authority and they have incentive to obey them as well because obeying is favorable for them; it is the self interest which provides them a motive for obedience. If subjects do not obey the laws, these laws could not protect interests of the people. That is, according to Hobbes if obligation is explained from the standpoint of self interest, it can be argued that people obey the laws otherwise it will be worse for them.²⁹¹

Warrender also claims that, for Hobbes, “all obligatory actions must be at least capable of being regarded by the individual concerned as in his best personal interest”.²⁹² For the individual to be obliged, he must be motivated

²⁸⁷ Raphael, *Problems of Political Philosophy*, p. 82.

²⁸⁸ Oakeshott, M. Joseph, “Introduction to Leviathan” in *Leviathan* (Oxford: Basil Blackwell, 1946), p. lx.

²⁸⁹ Raphael, *Problems of Political Philosophy*, p. 79.

²⁹⁰ McNeilly, *The Anatomy of Leviathan*, p. 171.

²⁹¹ Raphael, *Problems of Political Philosophy*, p. 79.

²⁹² Warrender, *The Political Philosophy of Hobbes, His Theory of Obligation*, p. 209.

to secure the greatest good for himself, that is to say duty and self interest are reconciled and this can be followed that self interest can be regarded as the ground of Hobbes' theory of obligation. However, Gauthier argues that what is reasonable and what is advantageous, explicitly duty and self interest could not be completely coincident in Hobbes' theory.²⁹³ When someone is morally obliged, this means that he ought to do it no matter it is to his advantage or not.²⁹⁴ Therefore, Gauthier criticized Hobbes' system and claims that having a moral obligation to something which is to his disadvantage is impossible for Hobbes because the individual could not have sufficient motive to do it. Since men create all obligations for the sake of themselves, it is meaningless to be morally obliged to do what is to one's disadvantage.

In short according to Gauthier, morality is impossible in Hobbes' theory;²⁹⁵ rather his system is a system of common prudence. He adds that Hobbes' definition of state of nature and his psychology destruct his ethics and his mechanistic point of view prevents him from dealing with the metaphysical side of human existence. Since self interest is the main motive of human action, Hobbesian men are wholly bent on their preservation and advantage. Therefore, there cannot be a moral system in such a theory dominated by self interest and also moral values could not be possible due to Hobbes' mechanistic point of view. However, for Richard Tuck, morality is possible in Hobbes' system and its aim is to avoid quarrels and breaches of peace because of the diversity in human behavior. According to Tuck, Hobbes' moral philosophy is to indicate the limits to diversity in morality and he suggests that "human beings of all times and places do agree about certain

²⁹³ Gauthier, *The Logic of Leviathan*, p. 96.

²⁹⁴ Plamenatz, *Consent, Freedom and Political Obligation*, p. 94.

²⁹⁵ Gauthier, *The Logic of Leviathan*, p. 95.

things” for achieving order in commonwealths.²⁹⁶ Although Hobbes is criticized for arguing that human nature is identified with egoism and all actions of men are motivated selfishly, and as a result of this he could not achieve a moral system,²⁹⁷ still authors like Macpherson and McNeilly state that psychological egoism used in Hobbes’ political theory does not forbid him from achieving theory of obligation. They think that Hobbes starts from egoism in order to describe the characteristics of natural man and the state of nature.²⁹⁸

Up to this point Hobbes’ theory of obligation is discussed and now it is time to consider Rousseau’s account of obligation in order to compare and indicate their differences. Like Hobbes, Rousseau also believed that political association could come into existence only by a voluntary act of the individuals and only the freely agreed contract has legitimate basis:

Since every man is born free and master of himself no one, under any pretext whatever, can subject him without his consent. To decide that the son of a slave is born a slave is to decide that he is not born a man.²⁹⁹

Therefore, in Rousseau’s social contract, political legitimacy cannot rest on the threat of force but it must be derived from a moral right to command. Although Hobbes and Rousseau have similar views on active participations of subjects, still Hobbes is often criticized as he gives more importance to power than Rousseau.

²⁹⁶ Tuck, Richard, “Hobbes’s Moral Philosophy” in *The Cambridge Companion to Hobbes*, ed. Tom Sorell (Cambridge: Cambridge University Press, 1996), p. 187.

²⁹⁷ Kavka, Gregory S. *Hobbesian Moral and Political Theory* (N. J.: Princeton University Press, 1986), p. 29.

²⁹⁸ *Ibid.*, p. 152. See also McNeilly, *The Anatomy of Leviathan*; and Macpherson, C. Brough, *The Political Theory of Possessive Individualism: Hobbes to Locke* (Oxford: Clarendon Press, 1962) for more information.

²⁹⁹ Rousseau, *Social Contract*, p. 200.

Both Hobbes and Rousseau claim that individuals establish a commonwealth for their preservation since “[s]overeignty is a collective not a particular form of self preservation”.³⁰⁰ Rather than trying to guarantee self preservation in isolation, each person makes a complete surrender of his power and chooses a political association to be protected by united strength. According to Rousseau, each person thinks of himself when he participates in a society.³⁰¹ This is the reason why the state is to consider their interests. Grimsley thinks that, for Rousseau, interest is defined in a social and not in a selfish way.³⁰² Rousseau claims that what the interests of the individuals have in common forms the social attachment and provides maintenance in societies and society should be governed by depending on this common interest.³⁰³

Like Hobbes, Rousseau claims that members of the civil state owe some duties to the political state and sovereign by which they gain secure and safe conditions to live. Both agree on the idea that anyone within the borders of a commonwealth must be subject to its rules, whether he likes it or not, a citizen could not have a chance not to be subject to its rules.³⁰⁴ Therefore like Hobbes, Rousseau also tries to justify obligation in societies. Both philosophers are in agreement that people should accept the absolute power of the sovereign and obey its rules for the common welfare. For Rousseau, the sovereign must be absolute and cannot be limited by anything other than itself because sovereignty is the ultimate source of authority.

³⁰⁰ Grimsley, *The Philosophy of Rousseau*, p.99.

³⁰¹ Rousseau, *Social Contract*, pp. 148-149.

³⁰² Grimsley, *The Philosophy of Rousseau*, p. 99.

³⁰³ Rousseau, *Social Contract*, p. 145. See also Riley, *Will and Political Legitimacy*, p. 112.

³⁰⁴ *Ibid.*, p. 84; Hobbes, *Leviathan*, pp. 123-124. See also Raphael, *Problems of Political Philosophy*, p. 43.

As emphasized in the former part, for Rousseau, the subjects are the sovereign itself at the same time since each has autonomy as the active participant of the sovereign. The concept of Rousseau's autonomy has very significant role for his theory and the moral quality of a political community consists in that autonomy.³⁰⁵ Autonomy makes people author of all laws, in fact even the most evil ones are the products of the citizens. It is the citizens who create them and owe obedience to them. Thus having a sovereign and obeying to civil laws are desirable than obeying a best master; "If we have a Prince, it is so that he may preserve us from having a Master".³⁰⁶

Unlike Hobbes who reduces morality to self interest, Rousseau puts morality on rational grounds. He thinks that rationality imposes obligation on us. Reason, for him, forbids us to want what we cannot get; it teaches us to know what is good and evil³⁰⁷ and conscience can be defined as an involuntary moral feeling. Man by his conscience and reason, becomes a moral being. Hampsher states that, according to Rousseau, moralization can only be possible through socialization; men realize their true human potential only after entering into a common wealth, since morality has relation with obeying general will towards the good of all society.³⁰⁸ Rousseau asserts in *Emile* that "[s]ociety must be studied in the individual and the individual in the society; those who desire to treat politics and morals apart from one another will never understand either".³⁰⁹ Therefore, being a moral being depends on being a subject of a political society in Rousseau's political theory. Moral values depend entirely on the other people and they can be derived only from the conditions of being an individual in a body. In short, morality serves for maintaining the unity

³⁰⁵ Rapaczynski, *Nature and Politics*, p. 260.

³⁰⁶ Rousseau, *Discourse on the Origins of Inequality*, p. 57.

³⁰⁷ Rousseau, *Emile*, p. 34.

³⁰⁸ Hampsher, *A History of Modern Political Thought*, p. 186.

³⁰⁹ Rousseau, *Emile*, p. 197.

among the members of the society and creates a harmonious, equal, secure and peaceful environment.

In contrast to Hobbes, Rousseau does not think that moral interest includes selfish material interest. Man cannot be morally bound only because he authorizes the actions of the sovereign which serves for his own interest like Hobbes. Although Rousseau draws attention to self interest or self preservation as important motives to enter into society, he does not identify morality with self interest. It will be nonsense to expect men to enter into society if this that does not bring them positive advantages. The citizens will always seek to follow the principle of self preservation, but when they are assured of their own security, they seek the common good. That is to say for Rousseau, society is not a pragmatic creation but a moral creation³¹⁰ since man realizes the necessity of a civil society by his moral development.³¹¹

3.5 Hobbes and Religion

Hobbes and Rousseau have different views concerning obligation. In contrast to Rousseau who explains concepts of general will, rationality and common good in order to discuss the ground of political obligation, Hobbes puts emphasis on self interest, self preservation and fear as the ground of obligation. Now I will discuss the place of God in Hobbes' theory since there are some arguments which replace self interest with God on the issue of obligation. Although *Leviathan* supports an extremely powerful theory of

³¹⁰ Rapaczynski, *Nature and Politics*, p. 253.

³¹¹ Grimsley, *The Philosophy of Rousseau*, p. 69.

obligation,³¹² still some authors like Warrender considers God as the only basis of both moral and political obligation in Hobbes' theory.³¹³

First let us examine the origin of laws of nature and obligation in state of nature. In *De Cive* Hobbes claims that natural laws are moral laws,³¹⁴ and they are called divine laws as well, because God gives reason to every man as a rule for his actions and because the principles for living which are derived from reason and the principles of God are the same.³¹⁵ This means that natural laws are laws because the same laws are promulgated by God.³¹⁶ However, although natural laws could be regarded as God's laws, this does not indicate that there is moral obligation in state of nature because Hobbes thought that natural laws turns to be laws only as commanded and enforced by the sovereign.

Since obligation is the consequence of a contract which means mutual transfer of rights, it is reasonable to say that the laws of nature cannot create obligations in Hobbesian sense. As a materialist Hobbes derives obligation from facts and for him transfer of right is the only foundation of obligation therefore his state of nature is a "moral vacuum" and moral obligations come out only in civil society.³¹⁷ That is to say, in his theory natural laws become morally obligatory after the formation of political society, not because they are God's dictates, but because sovereign has willed its dictates in civil state. Warrender strongly argues that moral distinctions

³¹² Beackon, Steve & Reeve, Andrew. "The Benefits of Reasonable Conduct: The Leviathan Theory of Obligation", p. 424.

³¹³ See Warrender, *The Political Philosophy of Hobbes, his Theory of Obligation* and Taylor, A. E. *Thomas Hobbes* (London: Oxford University Press, 1938) for more information.

³¹⁴ Hobbes, *De Cive*, p. 55.

³¹⁵ *Ibid.*, p. 58.

³¹⁶ *Ibid.*, p. 56.

³¹⁷ Warrender, *The Political Philosophy of Hobbes, His Theory of Obligation*, p. 5.

become valid only after establishing a sovereign but what he supports is not the idea that sovereign provides an obligation to keep covenants but he draws attention to the difference of circumstances between state of nature and civil society. In other words, for Warrender moral principles exist in both states but sovereign turns suspended obligations into full obligations through his manipulation of circumstances, therefore ineffectual moral obligations become operational by the conditions which the sovereign provides.³¹⁸

However, if it is true that moral laws are laws from eternity as laws of God and moral obligations exist in state of nature as well, Hobbes' statements about unlimited natural liberty would be contradictory since there cannot be such a state of absolute liberty in which man has obligations due to the laws of nature or God. Although in *De Cive* Hobbes defines natural laws as the laws which God gives men by natural reason,³¹⁹ that is man innately has those natural laws, he does not say that these commands of God create obligations in state of nature.

Hobbes states that:

Law of Nature gives rise to an obligation in the internal court [*in foro interno*] or in conscience always and everywhere; but in the external court [*in foro externo*] it gives rise to obligation only when it can be kept with safety.³²⁰

In other words, if man is forced to keep his covenant by a civil power, his obligation *in foro interno* becomes an obligation *in foro externo* and this is the picture of a political society.³²¹ In fact, the laws which oblige individuals

³¹⁸ *Ibid.*, 144.

³¹⁹ Hobbes, *De Cive*, p. 156.

³²⁰ Hobbes, *De Cive*, p. 54.

³²¹ Beackon, Steve & Reeve, Andrew. "The Benefits of Reasonable Conduct: The Leviathan Theory of Obligation", p. 436.

are both the civil laws and natural laws in a society which contain each other, as Hobbes claims that civil and natural laws are not two distinct kinds of laws but they are different parts of law. The only difference is that civil law is written whereas natural law is unwritten. Since men achieve them by reason, there is no need of writing or publishing them.³²² Although natural laws are found by reason, they become laws in Hobbesian sense only after the sovereign is established.

Concerning the argument about laws of nature as the commands of God, it can also be argued that if natural laws are the commands of God, they must exist even in infants but Hobbes claims in the preface of *De Cive* that infants are not born with moral sense. Thus, Hobbes does not completely seem to give support to the idea that natural laws are the laws of God. In medieval thought natural law is God's law for governance of mankind which can be known through natural reason, whereas in *Leviathan* Hobbes defines laws of nature as the dictates of reason which establish the means of preservation and the conditions of peaceful environment.³²³ For that reason, Gauthier argues that the role of reason for Hobbes is not to discern the rationally incomprehensible will of God.³²⁴ For Gauthier, dictates of reason and divine law do not appear to be necessarily connected in Hobbes' theory: "[w]hat is important to Hobbes' moral and political theory is natural law qua dictate of reason, not qua command of God".³²⁵

However, Warrender argues that if these laws are not the principles of God and if there is no moral obligation before or apart from the institution of civil law, we could not derive moral obligation to obey the civil law from

³²² Hobbes, *Leviathan*, p. 185.

³²³ *Ibid.*, p. 111.

³²⁴ Gauthier, *The Logic of Leviathan*, p. 70.

³²⁵ *Ibid.*, p. 70.

such a system.³²⁶ According to him, in order to provide moral obligation to obey the sovereign, there should be moral obligation to something before sovereign is established.³²⁷ Warrender also adds that this prior obligation before covenant guarantees the obligatory character of the covenant in civil society.³²⁸ For him, this prior obligation is caused by natural law which makes the basis for political obligation as well because the only reason for obedience in Hobbes' theory is God. Again, according to Warrender, all obligations including the political obligation due to civil laws are based on the obligation to obey God, for, otherwise the civil laws would be ineffective without a former obligation to obey the sovereign; indeed laws of nature affect the subject's obligation by supplementing the civil law.³²⁹

As was explained before, Hobbes' system is constructed on the claim that self preservation is a duty however Warrender defends the idea that it is a right; and if it is duty it is so only because of being a command of God.³³⁰ If it is conceived as a right, self preservation or self interest in general could not be the basis of Hobbes' theory of obligation, and only God remains as the ground of obligation.

Like Warrender, Sommerville also claims that in Hobbes' system obligations to obey laws of sovereign necessarily presuppose a prior obligation to keep contracts that "stems from the law of nature, which is prior to all man-made laws".³³¹ In addition to this, Stuart Brown holds that without such an obligation in state of nature, obligation caused by covenant

³²⁶ Warrender, *The Political Philosophy of Hobbes, His Theory of Obligation*, p. 7.

³²⁷ *Ibid.*

³²⁸ *Ibid.*, p. 248.

³²⁹ *Ibid.*, p. 150.

³³⁰ *Ibid.*, p. 206. See also Sommerville, *Thomas Hobbes: Political Ideas in Historical Context*, p. 26.

³³¹ Sommerville, *Thomas Hobbes: Political Ideas in Historical Context*, p. 54.

will be absurd since it could not be guaranteed.³³² Gauthier opposing this view argues that “[t]he claim that covenants imply obligation to perform is just the claim that covenants do not require a prior and independent obligation in order to oblige”.³³³

Oakeshott, another important commentator on Hobbes, agrees with Gauthier that only the commands of the sovereign can make moral obligations possible and he adds that the obligations prior to the establishment of political society are not moral obligations but rational obligations. He explains what rational obligation is in the “Introduction to Leviathan”:

A man may be prevented from willing a certain action because he perceives that its probable consequences are damaging to himself. Here the impediment is internal, a combination of rational perception and fear, which is aversion from something believed to be hurtful. In a sense, such a person is obliged, but this is a case of fear and reason limiting his power and not a moral obligation.³³⁴

Therefore, for Oakeshott man could only have rational obligations not moral obligations in Hobbes’ state of nature. It seems that Oakeshott like Gauthier, thinks that it is not necessary to have a prior obligation in order to guarantee the compulsory character of the covenant in civil society. That is to say, the ultimate source of obligation could not be considered as God. If it is so, Hobbes would make a distinction between believers and atheists, and he would say that atheists are not obliged to obey the laws, both natural and civil because such a claim regarding non believers is necessary in a theory based on God.³³⁵

³³² Pennock, “Hobbes’s Confusing “Clarity” - The Case of “Liberty””, p. 434.

³³³ Gauthier, *The Logic of Leviathan*, p. 42.

³³⁴ Oakeshott, M. J. “Introduction to Leviathan” in *Leviathan* (Oxford: Basil Blackwell, 1946), p. lx.

³³⁵ Sommerville, *Thomas Hobbes: Political Ideas in Historical Context*, pp. 76-77.

According to Grimsley, even Locke who is a liberal thinker excludes atheists from his state, but we cannot consider such an argument about atheists in Hobbes' theory.³³⁶ However, in *De Cive*, Hobbes claims that man knows that God exists by his natural reason and if there are still non believers, God will punish them.³³⁷ Yet, acknowledging laws of nature does not necessitate to be a believer of God, since what is related with laws of nature is related with reason as well. As Hobbes does not make a distinction between believers and non believers on the issue of obedience, it can be argued that Hobbes does not believe that laws of nature are derived from God, but they are products of reason.

Unlike Warrender who criticizes Hobbes that his political theory rests on medieval theological foundations, Medina argues that Hobbes grounds obligation in self interest rather than in a Divine Will, and that God plays a secondary role in Hobbes' moral and political obligation.³³⁸ Since political obligation could only be defined by self interest of the subjects it can be argued that he constructs his theory without relying on God. In *Leviathan*, Hobbes claims that God is the first cause of the universe.³³⁹ He clearly affirms the existence of God, but still it can be argued that religion has very little role in his moral and political system.³⁴⁰

Hobbes says the following:

Curiosity, or love of the knowledge of causes, draws a man from consideration of the effect to seek the cause; and again, the cause of that cause; till of necessity he must come to this thought at last, that there is some cause whereof there is no former cause,

³³⁶ Grimsley, *The Philosophy of Rousseau*, p. 115.

³³⁷ Hobbes, *De Cive*, p. 164.

³³⁸ Medina, *Social Contract Theories*, p. 23.

³³⁹ Hobbes, *Leviathan*, p. 147.

³⁴⁰ Kavka, *Hobbesian Moral and Political Theory*, p. 21.

but is eternal; which is it men call God. So that it is impossible to make any profound inquiry into natural causes without being inclined thereby to believe there is one God eternal; though they cannot have any idea of Him in their mind answerable to His nature.³⁴¹

McNeilly says that Hobbes actually believed in the existence of God as a first cause that is why he never admitted atheism.³⁴² According to Hobbes, although men cannot have an idea or image of God in their minds, still they can understand it as the first cause. However, Gauthier holds that Hobbes could be an atheist because “[i]t is impossible to know that something is without knowing what it is”.³⁴³ So, for Gauthier if Hobbes denies all knowledge about what God is, he must be an atheist. It is worth quoting Hobbes:

Whatsoever we imagine is finite. Therefore there is no idea or conception of anything we call infinite. No man can have in his mind an image of infinite magnitude; nor conceive infinite swiftness, infinite time, or infinite force, or infinite power. When we say anything is infinite, we signify only that we are not able to conceive the ends and bounds of the thing named, having no conception of the thing, but of our own inability. And therefore the name of God is used, not to make us conceive Him (for He is incomprehensible, and His greatness and power are unconceivable), but that we may honor Him.³⁴⁴

This means that man is not able to comprehend God as he cannot be perceived by sense. For Hobbes, whatever man conceives is perceived by senses at first; man could have no idea about anything which is not subject to senses.³⁴⁵ Sense impressions are the movements in the organs of sense which are caused only by external objects, and they lead movements in brain

³⁴¹ Hobbes, *Leviathan*, p. 74.

³⁴² McNeilly, *The Anatomy of Leviathan*, p.23.

³⁴³ Gauthier, *The Logic of Leviathan*, p. 179.

³⁴⁴ Hobbes, *Leviathan*, p. 23.

³⁴⁵ *Ibid.*, p.13.

which are called ideas.³⁴⁶ Hobbes' account of nature is considered as the main root of atheism; since Hobbes constructs his system on the basis of a nominalistic account of knowledge and a materialistic account of the universe, it can easily be stated that he is irreligious, that his nominalism and materialism are instruments for his skepticism about divine providence, good, evil and immortal soul.³⁴⁷

Similarly, Rapaczynski thinks that Hobbes attacked the Aristotelian teleological conception of the state, weakened religious ground of political obligation and ignored the importance of religion in civil societies.³⁴⁸ However, he claims that religion was still an important element in preservation of Hobbes' political society. But he argues that religion has significance only as a tool in the hands of the authority. Rapaczynski thinks that, for Hobbes, the legitimacy or stability of a government does not depend on religious justification but authority could use religion as an instrument in order to provide maintenance of the society.³⁴⁹

Medina argues that Hobbes replaces the authority of the Bible with absolute power of the sovereign and he claims that the authority of the Bible could not make sense unless sovereign commands his subjects to accept its authority.³⁵⁰ So, like civil laws which originated in the decrees of the sovereign, scriptural laws derive their authority from the power of the sovereign as well.³⁵¹

³⁴⁶ *Ibid.*, p. 13.

³⁴⁷ Mintz, *The Hunting of Leviathan*, p. 23.

³⁴⁸ Rapaczynski, *Nature and Politics*, p. 17.

³⁴⁹ *Ibid.*, p. 28.

³⁵⁰ Medina, *Social Contract Theories*, p. 24.

³⁵¹ Mintz, *The Hunting of Leviathan*, p.28.

It can also be argued that the origin of *Leviathan* itself is not divine. This mortal God is the sovereign which obtains its power from its subjects. For Hobbes, the moral or political obligations could not be grounded in God's will rather they depend on subjects. In other words, Hobbes does not aim to persuade people to believe in God and to make them obey the rules of the sovereign as the laws of God. What he tries to justify is the obedience to sovereign itself and for that reason he uses religion as an instrument in the hands of the absolute power. For him, even the authorities of church or the Bible do not have independent power from sovereign since the only power in political society is the sovereign. Thus, Sommerville states that although these statements do not prove that Hobbes is an atheist, still his system has atheistical consequences and particularly his materialism seems to be necessarily atheistic.³⁵²

As was mentioned, Hobbes attributes unlimited power to the sovereign to provide absolute security for the subjects. This is the most critical point in his theory, since the sovereign exists as a supreme power and although individuals have duties towards the sovereign, the sovereign is not under any obligation to them.³⁵³ However, for Ryan, having no obligation to any authority, earthly or divine, the sovereign's power is questionable in Hobbes' theory, and it appears that he makes the sovereign accountable to God in order to avoid any negative criticisms towards himself. In *Leviathan*, he holds that sovereign is subject to the laws of nature which are divine,³⁵⁴ therefore sovereign could not act unjustly and it inevitably promotes well-being of its subjects. However, it cannot be derived from this statement that sovereign has obligation to God, since he is accountable only to natural laws. Hobbes seems to decrease unlimited power of the sovereign by making this earthly authority accountable to divine authority. However, he

³⁵² Sommerville, *Thomas Hobbes: Political Ideas in Historical Context*, p. 167.

³⁵³ Ryan, "Hobbes's Political Philosophy", p. 231.

³⁵⁴ Hobbes, *Leviathan*, p. 224; and Hobbes, *De Cive*, p. 82.

only seems to try to avoid criticisms about the absolute power of the sovereign. Although natural law will bind the sovereign both in conscience and in action, it cannot be argued that these laws are originated from God and the power of God restricts the power of the sovereign in Hobbes' theory.³⁵⁵

Apart from the arguments about his views on God, it must be mentioned that Hobbes can also be considered as a threat to Christianity. In his theory the citizen of a commonwealth must accept the religion imposed by the sovereign and enforced by the laws of the commonwealth regardless of his private beliefs because his security wholly depends upon the absolute and effective power of civil authority. Mintz argues that the uniform religion imposed by the sovereign does not include the guarantee that this religion must be Christianity.³⁵⁶ As was explained above, although Hobbes defines religion as the fear of invisible but true power,³⁵⁷ his accounts on materialism prove that he does not believe in Christianity in fact this proves that he does not believe in any other religion. What Hobbes does is to use religion as a tool for providing stability in a political society. He seems to restrict the sovereign by introducing Divine Will, while in fact he guarantees the absolute power of the sovereign without restricting it with the divine power.

In brief, it can be said that, if there were God at the ground of obligation in Hobbes' theory, then he would not need to insist on consent or authorization in discussing political obligation. He would put God at the foundation of both natural obligation in state of nature and political obligation in society, and would easily provide obligation of subjects without engaging in the discussions about the absolute power of the sovereignty. However, Hobbes

³⁵⁵ Ryan, "Hobbes's Political Philosophy", p. 232.

³⁵⁶ Mintz, *The Hunting of Leviathan*, p. 29.

³⁵⁷ Hobbes, *Leviathan*, p. 42.

prefers introducing authorization, self interest or unlimited power of sovereign on the issue of political obligation, and as a result of this he is criticized by many authors since he limits freedom of the subjects while guaranteeing absolute security in civil state.

It will be useful to talk about Rousseau's ideas on religion and God as well. Rousseau, in his state, sees religion as an instrument and he also says that "Gods would be needed to give laws to men".³⁵⁸ For Rousseau, politics and religion do not have one common object but "at the origin of nations, [religion] serves as an instrument of the [politics]".³⁵⁹ The legislators use the authority of the religion in order to persuade people to participate in an ordered society. Rousseau also thinks that having a religion dispose the people to love their laws as citizens and to love justice.³⁶⁰ In other words, in Rousseau's theory, religion has an important role as it provides social unity: "[By] this saintly, sublime, genuine Religion, men -children of the same God- all acknowledge one another as brothers, and the society that unites them is not even dissolved by death".³⁶¹ In short, unlike Hobbes, who is criticized whether he believes in God or not and whether he puts God at the ground of his obligation theory, Rousseau seems to believe in God and to use religion as an instrument for maintaining political order in his state.

It is necessary to mention that there could be a comparison between Hobbes' and Rousseau's accounts on religion in order to analyze the meaning and the importance of religion in Hobbes' and Rousseau's theories. But this could be a topic of another thesis because the primary aim of this thesis is not to draw attention to their views on religion and its role and to compare them on that issue; rather their social contract theories and their theories of political

³⁵⁸ Rousseau, *Social Contract*, p. 154.

³⁵⁹ *Ibid.*, p. 157.

³⁶⁰ *Ibid.*, p. 222.

³⁶¹ *Ibid.*, p. 220.

obligation will be studied in this thesis. Therefore the role of religion and their accounts on God especially that of Rousseau's are not discussed.

In this chapter, I discussed the establishment of commonwealth and sovereign by emphasizing the importance of authorization and consent and I examined Hobbes' and Rousseau's theories of obligation. In the next chapter, I will first deal with the question of freedom in Hobbes' political theory by focusing on the relation between subject and sovereign, and then I will try to discuss that question in Rousseau's theory in a comparison with Hobbes. My objective is to discuss whether they could reconcile individual freedom and political freedom in their political theories, and if so, how.

CHAPTER 4

THE QUESTION OF FREEDOM IN *LEVIATHAN* AND *SOCIAL CONTRACT*

It is clear that Hobbes provides us a picture of modern political states; there are individuals at the ground, there is obedience to laws for social order and there are representatives, but freedom and rights of subjects are problematical in his political society. As was mentioned in the former chapters, the main motive for entering into society is fear in Hobbes' theory. For him, subjects seek peace and want to live in a commonwealth guaranteed by a common power due to the fear of losing their lives; therefore individuals renounce their rights and authorize the sovereign in order to attain a secure and peaceful society. As a matter of fact, in Hobbes' society, peace and security could only be achieved by the resignation of the private conscience of the citizen to the public conscience of the sovereign,³⁶² and this leads to the question of private will of the subjects. In addition, the concept of fear as the cause of obeying laws makes the freedom of Hobbes' subjects problematic. Whereas Rousseau replaces fear of Hobbes with common good and he tries to remove the distinction between the supreme sovereign and poor subjects. In fact Rousseau unites subjects under the

³⁶² Warrender, *The Political Philosophy of Hobbes, His Theory of Obligation*, pp. 129-130.

sovereign by making them the legislative will of political body and he tries to solve the question of individual freedom in commonwealths.

In this chapter I will first try to analyze the question of freedom in Hobbes' commonwealth and examine the freedom of subjects in its relation to absolute power of the sovereign. Next I will discuss freedom in Rousseau's political theory by looking at the relation between individual freedom and political freedom, and I will try to indicate differences in Hobbes' and Rousseau's discussions on freedom.

4.1 *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".³⁶³ 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.³⁶⁴ 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

³⁶³ Riley, *Will and Political Legitimacy*, p. 53.

³⁶⁴ Pennock, "Hobbes' Confusing 'Clarity'- The Case of 'Liberty'", p. 429.

commonwealth”.³⁶⁵ 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.³⁶⁶

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”.³⁶⁷ 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”.³⁶⁸ Therefore as Mill argues that it is reasonable for Hobbes to assert that agreements done out of fear do not take away liberty since Hobbes defines liberty without introducing rationality or choice.³⁶⁹

However Rapaczynski states that in Hobbes’ theory the only reason for obedience is fear,³⁷⁰ and it is more important than consent or free choice of people, and men obey the laws of the sovereign because of fear. It can be argued that Hobbes’ arguments concerning fear does not make sense, since

³⁶⁵ Mill, “Civil Liberty in Hobbes’s Commonwealth”, p. 37.

³⁶⁶ Hobbes, *Leviathan*, p. 146.

³⁶⁷ Herzog, *Happy Slaves: A Critique of Consent Theory*, p. 103.

³⁶⁸ McNeilly, *The Anatomy of Leviathan*, p. 171. See also Watkins, “Liberty”, p. 229.

³⁶⁹ Mill, “Civil Liberty in Hobbes’s Commonwealth”, p. 22.

³⁷⁰ Rapaczynski, *Nature and Politics*, p. 99.

he claims that individuals are free to choose to be subjects to a sovereign. But he also implies that if this individual does not choose to become a subject, he goes in fear of losing his life in other words, he chooses to die. Certainly this means that this individual is not free to be a subject. According to Pennock “[i]f the motive, or the last appetite or aversion is fear, we do not call the act free. If you influence my action by a threat, it would generally be said that I am not free with respect to the behavior in question”.³⁷¹

In *De Cive* Hobbes claims that subjects “have nothing to fear but penalties which they can anticipate or expect”,³⁷² but in fact penalties are not so different from fear of sovereign or fear of the laws. Although it is not difficult to break the laws which bind us to the society, the only reason not to break them is danger or fear. Moreover, in *Leviathan* he asserts that it is the power of the sovereign which obliges men to obey, and he adds that one arm of a commonwealth is force and the other one is justice.³⁷³ What he implies is the significance of the power of the sovereign in his theory of obligation. Even though he introduces the role of authorization and consequently the role of the subjects and asserts that “in the act of our submission, consists both our obligation and our liberty”³⁷⁴ still the power of the sovereign seems to be problematic as it is regarded as the only reason for obedience.

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

³⁷¹ Pennock, “Hobbes’ Confusing ‘Clarity’- The Case of ‘Liberty’”, p. 435.

³⁷² Hobbes, *De Cive*, p. 151.

³⁷³ Hobbes, *Leviathan*, pp. 185-186.

³⁷⁴ *Ibid.*, p. 150.

everybody.³⁷⁵ 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”.³⁷⁶

Like the commonwealth which is created by man for achieving peace and conservation of themselves, civil laws as artificial chains are also created by mankind.³⁷⁷ Mintz states that laws established by an arbitrary institution represent a positive injunction, prohibition, or command which provides justice by means of the sovereign.³⁷⁸ That is, laws are to provide the citizen’s safety and they are for the good of the people.³⁷⁹ Gauthier argues that authors of the sovereign and of the laws as well, have obligation not to oppose the sovereign in any way which is incompatible with the continuation of their authorization.³⁸⁰ Therefore, the obligation on the subjects to maintain their authorization determines the meaning of freedom in civil society.³⁸¹

What Hobbes puts emphasis on is that the civil laws limit freedom of the subject as they are authorized by the subject himself because he covenanted to obey these laws. In other words, for Hobbes, civil law as an obligation

³⁷⁵ Hobbes, *De Cive*, p. 84.

³⁷⁶ Hobbes, *Leviathan*, p. 239.

³⁷⁷ *Ibid.*, p. 147.

³⁷⁸ Mintz, *The Hunting of Leviathan*, p. 26.

³⁷⁹ Hobbes, *De Cive*, p. 143.

³⁸⁰ Gauthier, *The Logic of Leviathan*, p. 128.

³⁸¹ *Ibid.*, p. 133.

restricts freedom of the subjects and takes their liberty which they have in the state of nature.³⁸² So far, we have seen that political laws are inseparable from freedom and natural rights of the subjects. Although civil and natural laws are different as the former one is created by human will, still they cannot be contrary to human nature because they are created for serving human beings and providing them a more secure and peaceful society. Since the exercise of right is the exercise of will and they are tied to the exercise of freedom, “right, liberty and the exercise of will are coextensive”.³⁸³ Hobbes thinks that liberty should be understood as the part of natural right but he also adds that, that part of natural right is left by the civil law.³⁸⁴ Therefore, it can be said that the concept of right is linked to the concept of obligation in his theory. Although in *Leviathan*, law and right, liberty and obligation, in one and the same matter are inconsistent, “[this] does not preclude the existence of some connection between them”.³⁸⁵ In other words, civil laws of the sovereign and subjection to them must be understood well in order to discuss liberty in Hobbes’ theory.

For Hobbes, right which consists in liberty to do or to forbear and law that means obligation³⁸⁶ are so different from each other that liberty could only be possible in the silence of the law.³⁸⁷ What he means is that subjects have liberty to do or to forbear in accordance with their judgments if and only if the sovereign has not in fact forbidden the action in question.³⁸⁸ If a man is

³⁸² Hobbes, *Leviathan*, p. 200.

³⁸³ Harman, “Liberty, Rights, and Will in Hobbes: A Response to David Van Mill”, p. 897.

³⁸⁴ Hobbes, *De Cive*, p. 151.

³⁸⁵ Rapaczynski, *Nature and Politics*, p. 75.

³⁸⁶ Hobbes, *Leviathan*, p. 91.

³⁸⁷ *Ibid.*, p. 151.

³⁸⁸ Sommerville, *Thomas Hobbes: Political Ideas in Historical Context*, p. 75.

free to do something, precisely if he is not obliged to act otherwise, then he does not have an obligation not to do it.³⁸⁹

As a result of this, Hobbes argues that “the liberty of a subject lies only in those things which, in regulating their actions, the sovereign hath pretermitted”.³⁹⁰ Therefore, in political society, rights are defined with reference to the absence of the sovereign’s disapproval; put another way what is not prohibited is permitted in Hobbes’ theory. Unless sovereign forbid something, the subjects are free to act according to their discretion, in fact right could only imply freedom from sovereign’s obligations.³⁹¹

After clarifying the meaning of rights of subjects in their relation to obedience to laws of the sovereign, Hobbes asserts that “liberty or freedom signifies properly the absence of opposition”.³⁹² Impediments outside the man’s body like laws. McNeilly thinks that prison walls are external impediments for a prisoner but what Hobbes implies as impediments are the obligations since when someone is under an obligation to do something; all paths except one are blocked for that person.³⁹³

It is necessary to talk about internal impediments as well since Jouvenel states that liberty could be studied in discussing the relations of man with all of the obstacles which he encounters.³⁹⁴ In Hobbes’ theory, there is a distinction between internal and external impediments and Hobbes claims that the internal one is related to what we can do and the external one is about what we may do: “when the impediment of motion is in the

³⁸⁹ McNeilly, *The Anatomy of Leviathan*, p. 172.

³⁹⁰ Hobbes, *Leviathan*, p. 148.

³⁹¹ *Ibid.*, p. 148.

³⁹² *Ibid.*, p. 145.

³⁹³ McNeilly, *The Anatomy of Leviathan*, p. 172.

³⁹⁴ Jouvenel, *Sovereignty*, p. 247.

constitution of the thing itself, we use not to say it wants the liberty, but the power, to move; as when a stone lieth still, or a man is fastened to his bed by sickness".³⁹⁵ Only external impediments have relation with freedom of individuals and for Hobbes, only they can limit their liberty as a necessary condition for living in a commonwealth.

Furthermore, for Hobbes, liberty is not the liberty of isolated individuals but of the commonwealth.³⁹⁶ This is not the liberty which every man has a right to everything. From Hobbes' theory it cannot be derived that the only thing which a person is free to do is what he chooses. McNeilly states that for Hobbes we act by necessity but that necessity does not exclude freedom.³⁹⁷ The relation between necessity and liberty could be seen in the following words of Hobbes:

Liberty and necessity are consistent: as in the water that hath not only liberty, but a necessity of descending by the channel; so, likewise in the actions which men voluntarily do, which, because they proceed their will, proceed from liberty, and yet because every act of man's will and every desire and inclination proceedeth from some cause, and that from another cause, in a continual chain (whose first link is in the hand of God, the first of all causes), proceed from necessity.³⁹⁸

Hobbes also defines liberty as doing everything of man's own free will and with impunity. But this definition is possible only before a civil state because sovereign having right and power to coerce in the commonwealth changes the definition of liberty. From now on liberty becomes an absence of obstacles. To illustrate this, Hobbes says that water in a vessel is not free

³⁹⁵ Hobbes, *Leviathan*, p. 146.

³⁹⁶ *Ibid.*, p. 149.

³⁹⁷ McNeilly, *The Anatomy of Leviathan*, p. 172.

³⁹⁸ Hobbes, *Leviathan*, p. 146.

since the vessel is an obstruction for its flowing.³⁹⁹ Similarly, individuals who are subject to laws are not free in the way which the state of nature presupposes. According to Hobbes, if we define liberty as exemption from subjection to laws, there cannot be security to live and liberty would be impossible in such a situation as men will turn to state of nature.⁴⁰⁰ Put another way, if all citizens get complete liberty then man returns to the state of nature in which he can do all things rightly. But Hobbes thinks that such a situation is worse than any civil subjection.⁴⁰¹ Therefore, men should admit the restrictions of civil laws on their liberty, since men become subjects who do not harm but help each other and join for living in a secure society only by means of laws.⁴⁰²

Concerning civil laws, Hobbes does not claim that they coerce people to behave in limited ways but what he implies is that laws are to regulate or guide the actions of men. “[J]ust as nature ordained banks not to stop the flow of the river but to direct it”,⁴⁰³ sovereign establishes laws not to extinguish human actions and bind them from all deliberate actions but they are to direct them. In *Leviathan* Hobbes also states that laws are like hedges which are set not to stop the people but to maintain them in the way.⁴⁰⁴ Therefore he tries to explain the possibility of freedom in the actions which the laws pretermitted, and states that subjects can enjoy their liberty and can do what their reasons suggest on the condition that there is not any law forbidding this action.⁴⁰⁵

³⁹⁹ Hobbes, *De Cive*, p. 111.

⁴⁰⁰ Hobbes, *Leviathan*, p. 147.

⁴⁰¹ Hobbes, *De Cive*, p. 121.

⁴⁰² Hobbes, *Leviathan*, p. 185.

⁴⁰³ Hobbes, *De Cive*, p. 151.

⁴⁰⁴ Hobbes, *Leviathan*, pp. 239-240.

⁴⁰⁵ *Ibid.*, p. 147.

According to Hobbes, like civil laws, the power 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 states that for Hobbes absolute power and absolute security coincides and any commonwealth could be dissolved without unlimited power of the sovereign.⁴⁰⁶ In fact, for his theory he should create such a powerful ruler that no one could disobey him: “sovereign power, the greatest power that men can confer, greater than any power that an individual can have over himself. The greatest power that men can transfer to a man we call ABSOLUTE power”.⁴⁰⁷

Hobbes is criticized since his conception of absolute power of sovereign could not be reconciled with freedom of the subjects. In fact the main question in his theory is whether the existence of an authority harms individual freedom or contributes to it? William Connolly argues that the individual of Hobbes is a domesticated human who is the subject of constant control.⁴⁰⁸ Victoria Kahn also claims that “the ideal Hobbesian subject is the docile, effeminized political subject of an absolute sovereign that leads to appropriate subordination and reverence rather than insubordination and emulation”.⁴⁰⁹ Nevertheless, according to Mill to jump from the fact that Hobbes is concerned with peace and order to the conclusion that he wants to make people servile and subordinate is a mistake.⁴¹⁰ Hobbes thinks that the loss of power entails the loss of right⁴¹¹ therefore he tries to provide absolute power for securing the rights of the sovereign. In fact his justifications of

⁴⁰⁶ Rapaczynski, *Nature and Politics*, p. 35.

⁴⁰⁷ Hobbes, *De Cive*, p. 82.

⁴⁰⁸ Connolly, William E. *Political Theory and Modernity* (Ithaca: Cornell University Press, 1993), p. 34.

⁴⁰⁹ Kahn, Victoria. “Hobbes, Romance, and the Contract of Mimesis”, *Political Theory*, 29/1 (2001), p. 24.

⁴¹⁰ Mill, “Civil Liberty in Hobbes’s Commonwealth”, p. 24.

⁴¹¹ McNeilly, *The Anatomy of Leviathan*, p. 236.

absoluteness of sovereign power could be reasonable for his theory since it is obvious that he lived in a period of political instability and he is obsessed with the security of a commonwealth. Precisely, he legitimizes the sovereign when he was explaining the necessity of a civil state and he claims that the absolute power of the sovereign is essential for politics, but what is challenging in his theory is that his concept of power in political context is used with enforcement. That is why this sovereignty seems harsh and insensitive to all his critics.

Starobinski claims that after entering into a commonwealth what is mine is sharply distinguished from what is yours and this necessitates the determination of rights of both subjects and sovereign.⁴¹² As was mentioned in the third chapter sovereign retains the full right of nature and as the right of nature is unlimited then it is reasonable for Hobbes to say that sovereign's right is also unlimited.⁴¹³ Although Hobbes states that the rights of sovereign are inseparable and without one they will produce no effect in achieving peace and justice,⁴¹⁴ in this thesis all of these rights are not mentioned except the one which is criticized as preventing freedom of the subjects.⁴¹⁵ Hobbes rationalizes all of the rights of the sovereign by stating that sovereign which has right to the end has right to the means.⁴¹⁶ For him the end of the association is defense of the subjects. According to Hobbes, the right of judging the opinions and doctrines is one of the most important right of the sovereign. He or the assembly being the judge of good and evil can examine even the doctrines of books before they are published because "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

⁴¹² Starobinski, *Jean- Jacques Rousseau, Transparency and Obstruction*, p. 27.

⁴¹³ Hobbes, *Leviathan*, p. 214. See also, Gauthier, *The Logic of Leviathan*, p. 109.

⁴¹⁴ *Ibid.*, p. 127.

⁴¹⁵ See Hobbes, *Leviathan*, chapter 18 for detailed explanation of sovereign's rights.

⁴¹⁶ *Ibid.*, p. 124.

peace and concord”.⁴¹⁷ It is obvious that this right of sovereign is criticized since Hobbes curtailed the freedom of expression and suggests that subjects should abandon his own private judgments. Mill argues that Hobbes is correct to note that no society could survive for very long if its members did not abandon the right of judgment on certain issues.⁴¹⁸

Hobbes also talks about the right of punishment for the sake of maintenance of the society. For him, this right cannot come from people since it seems unreasonable because the primary aim of people is to be protected from being killed, nor can it come from God. Therefore, the sovereign does not receive it from anywhere. In fact, unlike the individuals who renounce their rights, the sovereign retains this right like all of his rights. Hobbes says the following in *Leviathan*:

[B]efore the institution of Commonwealth, every man had a right to everything, and to do whatsoever he thought necessary to his own preservation; subduing, hurting, or killing any man in order thereunto. And this is the foundation of that right of punishing which is exercised in every Commonwealth. For the subjects did not give the sovereign that right; but only, in laying down theirs, strengthened him to use his own as he should think fit for the preservation of them all: so that it was not given, but left to him, and to him only; and, excepting the limits set him by natural law, as entire as in the condition of mere nature, and of war of every one against his neighbour.⁴¹⁹

What is more, in Hobbes’ theory the interpretation of all laws depends on the authority even the moral laws could not be laws without the interpretation of the sovereign,⁴²⁰ this means that the judgments of what is

⁴¹⁷ *Ibid.*

⁴¹⁸ Mill, “Civil Liberty in Hobbes’s Commonwealth”, p. 26.

⁴¹⁹ Hobbes, *Leviathan*, p. 214.

⁴²⁰ *Ibid.*, p. 190.

reasonable and that of what should be abolished belong to the absolute power.⁴²¹

Similar to civil laws, power could be understood positively in his system; to be precise from Hobbes' point of view, it can be considered as an instrument to provide justice. Although punishment is an indication of power it can also be understood as a force directing individuals to obey the civil laws. While power makes people obey the sovereign, for Hobbes people obey the rules not only because the makers of the rules have power, but also they have authority. Authority exists if and only if people voluntarily accept it; "[a]uthority ends where voluntary assent ends".⁴²² Thus there can be no supreme power without right and sovereign as an ultimate authority is possible only through consent of people. In other words sovereign cannot have power independent from his subjects but what confers power on him is the act of authorization. Leviathan becomes the most powerful agent only because men voluntarily give their powers to that mortal god, explicitly Hobbes did not say that authority should be acknowledged only on power.

Since Hobbes puts authorization at the heart of his political theory it can be claimed that his absolute power does not limit individual freedom and what creates obligation is the authorization of subjects. However for Orwin authorization is important in Hobbes' theory not because Hobbes implies positive involvement in the sovereign's will but because authorization, in his system, indemnifies the subject against the charges of impiety originating in himself.⁴²³

Conversely, Jouvenel introduces that different from regarding sovereign as an absolute power enforcing constraints on people, Hobbes' sovereign can

⁴²¹ *Ibid.*, pp. 184-185.

⁴²² Jouvenel, *Sovereignty*, p. 33.

⁴²³ Orwin, "On the Sovereign Authorization", p. 38.

also be seen as a concept which is essentially favorable to the individual.⁴²⁴ This is the reason why Hobbes emphasizes that the freedom is same in monarchy or in democracy,⁴²⁵ and monarchy does not harm the individual liberty since similar to other forms of government a monarch has nothing more than the power that people confer upon him.

If men no longer give support to monarch, monarch loses his power. In fact Hobbes' subjects do not have the right to overthrow the monarch, but I want to emphasize that in all forms of government freedom is same for Hobbes since all depends on the will of the individuals and this is the reason why Hobbes thinks that monarchy serves for the preservation and well being of the members as much as democracy. It is hard to believe that there is same freedom, same equality of rights, and same justice in a country where every decision belongs to one master⁴²⁶ but Hobbes writes in favor of monarchy as he sees no good in having more than one master. Sommerville says that Descartes comments on *De Cive* in 1643 and remarks that the only aim of Hobbes is to write in favor of monarchy.⁴²⁷ Hobbes developed a logical theory of absolutism and without in any way trying to defend Hobbes, it can be argued that he seems to be consistent in all his views because the reasons he gave for monarchy and the possibility of freedom are logically connected in his whole system. However, although he introduces consent as a crucial concept when people are deciding to enter into a commonwealth and he legitimizes authority and rationalizes obligation by means of authorization and free will of the individuals, still his emphasis on absolute power of sovereign seems to be the only reason in justifying political obligation. In other words, Hobbes' defense of absolute sovereignty which is an

⁴²⁴ Jouvenel, *Sovereignty*, p. 197. See also Rapaczynski, *Nature and Politics*, p. 59.

⁴²⁵ Hobbes, *Leviathan*, p. 149.

⁴²⁶ See Hobbes, *Leviathan*, chapter 19 for defense of monarchy in greater detail.

⁴²⁷ Sommerville, Johann P. "Lofty Science and Local Politics" in *The Cambridge Companion to Hobbes*, ed. Tom Sorell (Cambridge: Cambridge University Press, 1996), p. 247.

acknowledged weakness in his theory and his defense of monarchy lead Hobbes to be criticized as eliminating freedom of subjects.⁴²⁸

Jean Hampton states that the absoluteness of sovereign is invalid, because individuals have liberty to defend life, body and the means of life, that is to say deciding whether something is favor to their lives depends on individuals.⁴²⁹ Agreeing with him, Ryan also claims that apart from suggesting a conscientious obedience, *Leviathan* also leads people to ask whether the sovereign can secure their safety or not.⁴³⁰ In other words, Hobbes leaves room for liberty of individuals and gives them a right to resist if the authority cannot provide security. Therefore, it can also be claimed that authorizing an absolute power does not restrict natural liberty of man because Hobbes argues that by allowing the sovereign to kill me does not bind me to kill myself when he commands me; “[i]t is one thing to say, ‘Kill me, or my fellow, if you please’; another thing to say, ‘I will kill myself, or my fellow’”.⁴³¹ In other words, people can say “if I do not perform, kill me” but they cannot say that “I will not resist if you try to kill me”.⁴³²

The subject’s obligation does not mean that the citizen should sacrifice to the sovereign’s authority. Hobbes states that the citizen can resume a policy of violence against the sovereign only if there is an active threat to his life and limb. If men agree to obey the conqueror to guarantee their lives, this means for Hobbes, this contract is binding only on the condition that sovereign protects their lives. Hobbes claims that “a man cannot lay down the right of resisting them that assault him by force to take away his life,

⁴²⁸ Sommerville, *Thomas Hobbes: Political Ideas in Historical Context*, p. 2; Hobbes, *Leviathan*, pp. 148, 190, 219; Hobbes, *De Cive*, pp. 84, 116. See also Hobbes, *Leviathan*, chapter 18, for more information.

⁴²⁹ Goldsmith, “Hobbes on Law”, p. 281.

⁴³⁰ Ryan, “Hobbes’s Political Philosophy”, p.241.

⁴³¹ Hobbes, *Leviathan*, p.151.

⁴³² Ryan, “Hobbes’s Political Philosophy”, p. 231.

because he cannot be understood to aim thereby at any good to himself”.⁴³³ This right of subject seems to remain from the first right of nature and Hobbes does not renounce that right in the civil state since no one could give away his right of self defense.⁴³⁴

However, Hobbes seems to disallow all active resistance to the sovereign when he states that “[w]hat I lawfully covenant, I cannot lawfully break”.⁴³⁵ Sommerville argues that although Hobbes makes people defend themselves even against the king,⁴³⁶ he also adds that if the individual has the power to resist the king whenever they thought they were unjustly attacked, then the king’s power will lose its importance. Therefore those individuals were obliged not to defend themselves against the king namely the sovereign. It will be useful to keep in mind that, as Warrender states, in Hobbes’ political theory the right to resist should not be exaggerated since “a valid pretext for resistance can arise only from a bona-fide plea of personal insecurity”.⁴³⁷ So far it is clear that the right to resistance is an important question for Hobbes; he not only claims that “failure to defend one self [is] a sign of insanity” but also he argues that self defense should be limited “not to lead anarchic consequences”.⁴³⁸

In fact Hobbes tries to avoid resistance to sovereign or overthrowing it since for him individuals surrender their powers of resistance to sovereign in order to be preserved.⁴³⁹ In brief, his statements about sovereign which disallow it

⁴³³ Hobbes, *Leviathan*, p. 93.

⁴³⁴ Sommerville, *Thomas Hobbes: Political Ideas in Historical Context*, p. 52.

⁴³⁵ Hobbes, *Leviathan*, p. 126.

⁴³⁶ Sommerville, *Thomas Hobbes: Political Ideas in Historical Context*, p. 33.

⁴³⁷ Warrender, *The Political Philosophy of Hobbes, His Theory of Obligation*, p. 118.

⁴³⁸ Sommerville, *Thomas Hobbes: Political Ideas in Historical Context*, p. 37.

⁴³⁹ Buchanan, James M. *The Limits of Liberty: Between Anarchy and Leviathan* (Chicago: University of Chicago Press), p. 130.

to be unjust are also serving for preventing resistance towards it in his theory.

Hobbes says that once people make a covenant, then making protestation against sovereign and its rules is to act unjustly.⁴⁴⁰ Therefore individuals cannot break the covenant and become free from subjection to the authority in any way, similarly the covenant cannot be broken by the sovereign.⁴⁴¹ If injustice and injury by the sovereign are not possible then there is no need of resistance, and, for individuals, there will be no good reason to break the covenant.

Hobbes also says that “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; no, nor himself of injury, because to do injury to oneself is impossible”.⁴⁴² This means that whatever the sovereign does is just and he cannot be accused by his subjects as making injury against them.

In addition to this, Hobbes introduces limits to the power of the sovereign in order to strengthen his arguments on justness of the sovereign. As the role of God is discussed briefly in the former chapter, it could be claimed that Hobbes seems to make sovereign accountable to God. Whether the sovereign is responsible to God and subject to natural laws as divine laws or not, it is reasonable to say that Hobbes’ sovereign is subject to the fundamental laws of the state because sovereign “should use sovereignty according to its own nature and under the powers and conditions on which it

⁴⁴⁰ Hobbes, *Leviathan*, p. 123.

⁴⁴¹ *Ibid.*, p. 122.

⁴⁴² *Ibid.*, p. 124. See also Warrender, *The Political Philosophy of Hobbes, his Theory of Obligation*, p. 109 and Sommerville, “Lofty Science and Local Politics”, p. 256.

is established”.⁴⁴³ In other words as Hobbes affirms in *De Cive*, absolute power of the sovereign could not make the subjects miserable, because it could not violate natural laws.⁴⁴⁴

Jouvenel says that the monarch can do whatever he wills in theory but he is not allowed to will what is unreasonable and unjust.⁴⁴⁵ Natural laws exist and can be found by reason and it is the duty of the sovereign to apply these laws and act justly. Despite the fact that sovereign is absolute, still it is subject to natural laws and reason, so he cannot act according to his private will in order to maximize common good among subjects. Since the power of the citizens is the power of the commonwealth,⁴⁴⁶ inevitably the private interest, even in monarchy, is the same with the public.⁴⁴⁷ The power of the sovereign cannot be exercised for the disadvantages of people. The sovereign cannot act contrary to the common good. As a result of this, sovereign will could not have complete liberty to do what he desires and act unreasonably.

Nonetheless it is the sovereign who makes the rules that define what is to be called just or unjust, right or wrong. Therefore subjects should obey the laws no matter they are really just or right. Goldsmith affirms that as long as these definitions depend on the sovereign, the subjects could not have an independent criterion to declare actions of the sovereign as wrong or unjust. Therefore to say that the sovereign cannot be unjust does not make sense in such a theory.⁴⁴⁸ Moreover Jouvenel states that the sovereign could not be

⁴⁴³ Jouvenel, *Sovereignty*, p. 184.

⁴⁴⁴ Hobbes, *De Cive*, p. 82.

⁴⁴⁵ Jouvenel, *Sovereignty*, p. 209.

⁴⁴⁶ Hobbes, *De Cive*, p. 143.

⁴⁴⁷ Hobbes, *Leviathan*, p. 131.

⁴⁴⁸ Goldsmith, “Hobbes on Law”, p. 280.

unjust only because whatever he does, wants and invades becomes just at the moment he does it.⁴⁴⁹

There are statements in Hobbes philosophy which give chance for resistance and which appear to make citizens more active in the establishment. But such a resistance to sovereign is impossible in his whole theory. In this chapter I tried to indicate that, in Hobbes' theory, subjects, since they authorize the sovereign, have to obey him and cannot resist him because there is no need in resisting him for he is always just and right. When one gives authority to the representer and makes him sovereign, he has to obey it as he gives the sovereign authority without stint.⁴⁵⁰ Once they participate in civil society by giving consent to it, their past consent towards him guarantees future consent as well. That is to say people cannot decide to stop serving for the commonwealth and become free.

At this point it will be useful to talk about his concept of authorization again in order to understand his arguments concerning resistance. Hobbes claims in *A Dialogue between a philosopher and a student of the common laws of England* that he who transfers his power to one has deprived of that power but if he commits his power to one in order to be exercised in his name, still he is the owner of that power.⁴⁵¹ This seems to be that for Hobbes authorization does not avoid subject of being the owner of the right. However Harman argues that for Hobbes once rights are given away then the original possessor of them has no longer owns them otherwise it should be possible for Hobbes to give up being a subject to a commonwealth and

⁴⁴⁹ Jouvenel, *Sovereignty*, p. 211.

⁴⁵⁰ Hobbes, *Leviathan*, p. 114.

⁴⁵¹ Hobbes, Thomas. *A Dialogue between a Philosopher and a Student, of the Common Laws of England*, ed. Alan Cromartie (Oxford: Clarendon; New York; Oxford University Press, 2005), p. 52.

renounce authorizing the sovereign to act in their names.⁴⁵² Therefore, while Hobbes claims that authorization is simply giving the use of your right to another it seems that subject gives up being owner of his right and he no longer has a chance to retake it. In other words, for Hobbes, it seems that there is no room for resistance. It is worth quoting Hobbes to reinforce this point: in *De Cive* he states that “[t]he truth is that agreements are universally valid once the benefit has been accepted, and if the act and the content of the promise are licit”.⁴⁵³ Moreover, in *Leviathan* Hobbes argues that:

[Subjects] cannot lawfully make a new covenant amongst themselves to be obedient to any other, in anything whatsoever, without his permission. And therefore, they that are subjects to a monarch cannot without his leave cast off monarchy and return to the confusion of a disunited multitude; nor transfer their person from him that beareth it to another man, other assembly of men: for they are bound, every man to every man, to own and be reputed author of all that already is their sovereign shall do and judge fit to be done.⁴⁵⁴

Briefly, as all men covenant with each other to escape from miserable conditions of state of nature and enter into political society, they are obliged to obey this covenant as a law of nature since no one can have a right to resist or protest against the sovereign; “if someone has a right to something others have a duty not to behave in such a way as to violate that right”.⁴⁵⁵ Just once citizens authorized the sovereign they have to perform it since their authorization means giving consent to whatever the government might do in future, in fact they give their consent to everything the government does.

⁴⁵² Harman, “Liberty, Rights, and Will in Hobbes: A Response to David Van Mill”, p. 900.

⁴⁵³ Hobbes, *De Cive*, p. 38.

⁴⁵⁴ Hobbes, *Leviathan*, p. 122.

⁴⁵⁵ Hospers, J. *Libertarianism: A Political Philosophy for Tomorrow*, (Los Angeles: Nash Publications, 1971), p. 51.

To sum up, it is explicit that security lies at the heart of Hobbes' theory of obligation. When he discusses the benefits of a civil state, he puts emphasis only on things related to security:

Outside the commonwealth anyone may be killed or robbed by anyone; within a commonwealth by only one person, outside, we are protected only by our own strength, within by the strength of all. Outside, no one is certain of the fruits of his industry, within all men are.⁴⁵⁶

In conclusion, Hobbes' main aim is to provide security and for that reason he gives more importance to protection than liberty. Gauthier claims that in all writings of Hobbes he insists that liberty is good but what he emphasizes is that sovereign can deprive men of their liberty for a greater good and that greater good is security for Hobbes.⁴⁵⁷ He is ready to pay whatever is necessary for protection and this is the basis of subjects' limited liberty in his theory. For him security comes before liberty and liberty depends on security because he believed that freedom could only be meaningful and possible after achieving absolute security in a political society. As he realizes subjects' natural love of liberty, he introduces a sovereign with unlimited power and rights and by means of such a coercive government, he tries to achieve absolute security for a commonwealth. In short, for him the aim of obedience is protection⁴⁵⁸ and subjects should obey the sovereign and accept their limited liberty and rights only for getting protection from him and living in a secure society.

⁴⁵⁶ Hobbes, *De Cive*, 116.

⁴⁵⁷ Gauthier, *The Logic of Leviathan*, p. 43.

⁴⁵⁸ Hobbes, *Leviathan*, p. 153.

4.2 The *Social Contract* and Freedom

After analyzing the place of freedom in Hobbes' theory, in this section I will try to examine freedom in Rousseau's political society by comparing Hobbes and Rousseau at points where necessary. As Rousseau's main concepts such as consent, sovereign and general will are analyzed in the former chapters now I will discuss the relation between these concepts and freedom in Rousseau's theory. Do these concepts contribute to freedom of subjects or do they limit individual freedom? These are the main questions of this section.

Rousseau's main concern is to find a body politic in which each person obeys his own free will while obeying to general will of the commonwealth. He says the following in the *Social Contract*:

Find a form of association that defends and protects the person and goods of each associate with all the common force, and by means of which each one, uniting with all, nevertheless obeys only himself and remains as free as before. This is the fundamental problem which is solved by the social contract.⁴⁵⁹

In contrast to Hobbes who tried to make ground for political obligation, Rousseau tried to reconcile the legitimate exercise of freedom with the valid demands of order.⁴⁶⁰ For him, to indicate the possibility of freedom, the most noble of man's faculties, while obeying general will is the main task of an ideal political society.⁴⁶¹

It can be said that Rousseau and Hobbes agree on the equality and freedom of human beings before analyzing the establishment of political society. It is no doubt that men are naturally free. Rousseau claims that "[i]f there are

⁴⁵⁹ Rousseau, *Social Contract*, p. 138.

⁴⁶⁰ Grimsley, *The Philosophy of Rousseau*, p. 160.

⁴⁶¹ Rousseau, *Discourse on the Origins of Inequality*, p. 58.

slaves by nature, it is because there have been slaves contrary to nature”.⁴⁶² In other words, there cannot be a natural right of slavery since right and slavery are contradictory. Therefore, any political society could come into existence only by free participation of the subjects. Since all is born free⁴⁶³ they will alienate their freedom and renounce their unlimited rights only for their utility.

Melzer says that, in Rousseau’s state of nature “once a man begins to acquire means, he cannot stop; he is drawn into a self perpetuating quest for ever more power.”⁴⁶⁴ Hobbes thinks in the same way and asserts the following:

I put for 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 a more intensive delight, than he has already attained to; or that he cannot be content with a moderate power: but because he cannot assure the power and means to live well, which he hath present, without the acquisition of more.⁴⁶⁵

Therefore, it can be argued that men should renounce their power and rights in order to be one under a sovereign, otherwise they return to the state of nature in which all seek more power by hurting each other. In other words, if some rights remained in individuals, each as his own judge tries to preserve himself by his own power. But after submitting themselves to a common force they will enjoy security and protection provided by the total strength of all individuals.

⁴⁶² Rousseau, *Social Contract*, p. 132.

⁴⁶³ *Ibid.*, p. 131.

⁴⁶⁴ Melzer, *The Natural Goodness of Man*, p. 72.

⁴⁶⁵ Hobbes, *Leviathan*, p. 80.

It can be said that both Hobbes and Rousseau have similar views regarding the characteristics of that common power; like Hobbes, Rousseau states that sovereign has a supreme authority which cannot be limited without destroying it.⁴⁶⁶ That is to say, the sovereign is ultimate and has indivisible power as Hobbes thought. But Rousseau does not reach Hobbes' conclusion about the absoluteness of its power. Hobbes introduces absolutism for the remedy for the condition in the state of nature, whereas Rousseau suggests the creation of common good and constructs his system by depending on it. Therefore, in contrast to Hobbes who regards security as the ground of political obligation, for Rousseau the political obligation of subjects "depend[s] on pursuing the ends of justice and the common good, they are not obliged unless the State's laws are effectively directed towards these ends".⁴⁶⁷

Like Hobbes, Rousseau thinks that the sovereign could not have a contrary interest to the subjects and will not harm its members since it is composed of all individuals in the commonwealth.⁴⁶⁸ Although the sovereign has supreme character, it should not be feared since it would be illogical to expect it to act against its main interest, that of self preservation of the whole community. Rousseau also thinks that even though there is natural freedom in the state of nature, true freedom can emerge only when man has obtained the ability for deliberate choice which is possible in a Body Politic.⁴⁶⁹ In other words, the supreme power which is the guarantor of legitimate and secure society also provides equality of right and justice, and as a result of this it becomes the guarantor of freedom in Rousseau's political philosophy.

⁴⁶⁶ Rousseau, *Social Contract*, pp. 194-195.

⁴⁶⁷ Raphael, *Problems of Political Philosophy*, p. 111.

⁴⁶⁸ Rousseau, *Social Contract*, p. 140.

⁴⁶⁹ *Ibid.*, pp. 141-142, 150. See also, Grimsley, *The Philosophy of Rousseau*, p. 90.

Hence, the existence of a common power does not force human beings to quit their freedom completely, it can only be mentioned that men's freedom by nature within the limits of the law of reason becomes freedom under the laws of society and under the force of the common power after entering into a body politic. Rousseau clarifies this argument by arguing that:

[W]hat man loses by the social contract is his natural freedom and an unlimited right to everything that tempts him and that he can get; what he gains is civil freedom and the proprietorship of everything he possesses.⁴⁷⁰

In fact, Rousseau holds that there is conventional freedom in a civil state since natural freedom is limited with individual forces, and it becomes civil freedom limited with general will and moral values. According to Grimsley, the act of will brought sovereignty into being, and that is why the sovereign is inseparable from the activity of will.⁴⁷¹ Rousseau also puts emphasis on this difference and affirms that general will is inspired by common interest whereas the particular will considers only private interest and is motivated selfishly.⁴⁷² Moreover, the will of all for Rousseau does not mean general interest because the will of all is the physical sum of particular desires of individuals, whereas general will “presupposes a deliberate attitude of mind and a firm determination to seek the common good”.⁴⁷³

In Rousseau's social contract theory, general will has a very significant role because for him when individual reason operates with general will, the individual will recognizes his true being and his true freedom. Grimsley suggests that the natural freedom of the unthinking savage is replaced with

⁴⁷⁰ *Ibid.*, p. 141.

⁴⁷¹ Grimsley, *The Philosophy of Rousseau*, p. 103.

⁴⁷² Rousseau, *Social Contract*, p. 147.

⁴⁷³ Grimsley, *The Philosophy of Rousseau*, p. 103.

the moral freedom of the mature man.⁴⁷⁴ That is to say, man realizes his true being after entering into a society and he becomes master of himself and gains true freedom. This is possible only “[by] obedience to laws”.⁴⁷⁵

According to Steven G. Affeldt, in Rousseau’s philosophy active general will among people differentiates a society from what Rousseau names as herd or aggregation of men.⁴⁷⁶ For him this herd of natural man becomes a society with free subjects if and only if the subjects obey general will. Since everyone engages in the common cause, each should act according to the general will in order to be free and as a result of this civil freedom gains its meaning in this framework. Because the general principle is based on the common good, individuals instinctively act how society requires and their selfishness is subordinated to the general will of the civil state.⁴⁷⁷

Unlike Hobbes who regards civil war as the origin of all evils, Rousseau thinks that all evils are caused by the dependence on one human being upon another human being. This is what Rousseau calls personal dependence,⁴⁷⁸ and he thinks that only the laws based on the idea of common interest could abolish that private dependence among man.⁴⁷⁹ It is important not to ignore the significant role of sovereign in achieving impersonal dependence. Grimsley suggests that Rousseau tries to replace dependence on people with dependence on sovereign by locating supreme political authority in all members of the community.⁴⁸⁰ In *Emile* he says the following:

⁴⁷⁴ *Ibid.*, p. 163.

⁴⁷⁵ Rousseau, *Social Contract*, p. 142.

⁴⁷⁶ Affeldt, Steven G. “The Force of Freedom: Rousseau on Forcing to be Free”, *Political Theory*, 27/3 (1999), p. 305.

⁴⁷⁷ Melzer, *The Natural Goodness of Man*, p. 75.

⁴⁷⁸ Rousseau, *Emile*, p. 49.

⁴⁷⁹ Riley, “A Possible Explanation of Rousseau’s General Will”, p. 88.

⁴⁸⁰ Grimsley, *The Philosophy of Rousseau*, p. 102.

There are two kinds of dependence: dependence on things, which belongs to nature; dependence on men, which belongs to society. Dependence on things, having no morality, is not harmful to freedom and does not engender vices; dependence on men, being uncontrolled, engenders them all.⁴⁸¹

Therefore when Rousseau says that “[m]an is born free, and everywhere he is in chains”⁴⁸² he does not mean those chains harm the liberty of subjects and make men live in slavery. Clearly Rousseau says that dependence on things do not limit freedom whereas dependence on another man harms the liberty of the individual. It can be argued that Rousseau’s natural chains are comparable to Hobbes’s impediments within the body and social chains are similar to external impediments in Hobbes’ theory. In brief, despite the social chains or external obstacles man could be free in a political society.

Since liberty means for Rousseau being free from all private dependence, he tries to strengthen the unity of the civil association and makes the citizens depend on the state in order to free them from dependence on all other subjects. Thus, being dependent on the city does not harm the liberty but only the laws and state constitutes the liberty of its members.⁴⁸³ When citizens obey the laws that contribute to their liberty, they do not obey anyone but only their own free will.⁴⁸⁴ In the *Social Contract* he claims that “[e]ach of us puts his person and his entire power under the supreme direction of the general will; as a body, we receive each member as an indivisible part of the whole”.⁴⁸⁵ Unless this political body involves all the citizens without exception it cannot be effective, as a result of this, each

⁴⁸¹ Rousseau, *Emile*, p. 49.

⁴⁸² Rousseau, *Social Contract*, p. 131.

⁴⁸³ *Ibid.*, p. 58.

⁴⁸⁴ *Ibid.*, p. 150.

⁴⁸⁵ *Ibid.*, p. 139.

associate obeys his own will while obeying general will and each considers his interests as well, but they are in conformity since every member is a part of the sovereign.

Furthermore, Rousseau asserts that when one gives himself to all in fact he gives himself to no one because each individual is a member of the sovereign and a member of the state at the same time.⁴⁸⁶ According to Grimsley this reciprocal engagement guarantees that the activity of sovereign is always right.⁴⁸⁷ The decrees of the general will or the sovereign inevitably become the decrees of the citizens and as a result of this, subjects as rational beings become the authors of these laws with Rousseau. That is to say, it is the people who are responsible in making laws which are nothing but the “records of our wills”.⁴⁸⁸ Subjects are passive beings obeying laws as the parts of the state and at the same time they are active beings as parts of the sovereign participating in the formation of them.

In the political theory of Rousseau, subjects become the sovereign itself whereas subjects in Hobbes’ theory only authorize the sovereign and turn to be passive beings on the issue of obligation.⁴⁸⁹ In other words, for Hobbes the sovereign power seems to be independent from subjects and a superior power over them, but Rousseau gives active and significant role to subjects in both establishing and maintaining the civil association. That is why Rousseau’s statement concerning generality of laws contributing to freedom is reasonable. As Grimsley argues, while primitive man respects the laws of nature, the citizen should also respect the laws of society and realize the interdependence of freedom and political order since “without the law there

⁴⁸⁶ *Ibid.*, pp. 138-139.

⁴⁸⁷ Grimsley, *The Philosophy of Rousseau*, p. 100.

⁴⁸⁸ Rousseau, *Social Contract*, p. 150.

⁴⁸⁹ Watt, “Rousseau Rechauffe- Being Obligated, Consenting, Participating, and Obeying only Oneself”, p. 714.

can be no equality of right, and without equality of right, there can be no true political freedom”.⁴⁹⁰

Thus it can easily be said that for Rousseau freedom is a voluntary self restriction.⁴⁹¹ In fact, men should restrict their passions which lead them to act and conform to their conscience in order to be free, since passions and freedom could not exist together. Being free means to be social and in order to be social men should hide their passions and act according to reason. Rousseau’s individuals should separate themselves from their own egos and passions and conform to reason. For Rousseau, it is the law which liberates mankind, but Hobbes thinks that obligation to laws puts limit on man’s freedom. In other words, although laws are created by consent in Hobbes’ theory they terminate individual’s freedom. However, since Rousseau constructs his theory on the idea of general will and leads individuals to partake in the freedom of the sovereign, he rationally states that the individuals could become free only through civil laws.

It can be claimed that Rousseau, by means of general will, makes physical beings of Hobbes moral creatures. As Komaruddin Hidayat argues, the approach of Hobbes to human activity is like his approach to physical world and physical science and consequently there cannot be proper place for morality in his theory.⁴⁹² However, Rousseau puts morality on rational grounds and asserts that being virtuous or being good means to be free. If men obey natural laws which are written in the depths of his heart, by conscience and reason, he will be free.⁴⁹³ Rousseau thinks that morality

⁴⁹⁰ Grimsley, *The Philosophy of Rousseau*, p. 161. See also Shklar, J. N. “Rousseau’s Images of Authority”, in *Hobbes and Rousseau: A Collection of Critical Essays*, eds. M. W. Cranston, and R. S. Peter (Garden City, N. Y.: Anchor Books, 1972), p. 341.

⁴⁹¹ Rousseau, *Emile*, p. xix.

⁴⁹² Hidayat, Komaruddin. *The Concept of Freedom within the Theory of Social Contract*, Unpublished Ph. D. Thesis (Middle East Technical University: Ankara, 1990), p. 10.

⁴⁹³ Rousseau, *Emile*, p. 437.

presupposes freedom and the actions of an individual could not be moral if he surrenders his freedom.⁴⁹⁴ Rapaczynski claims that for Rousseau “[f]reedom is not simply a necessary condition of virtue in a man; it is also its sufficient condition”.⁴⁹⁵ Rousseau says that everyone in a political society should obey the general will and each member has to respect other people, have moral responsibility of being a part of society, realize moral and civil rights of others as much as his rights and do what he must do in order to achieve the supreme moral value, that is freedom. Rousseau adds that “[l]iberty is not to be found in any form of government, she is in the heart of the free man, he bears her with him everywhere”.⁴⁹⁶ This means that when Rousseau talks about being virtuous or being free, he refers to conscience and reason, not only to any form of the government and its laws.

Different from Hobbes, Rousseau thinks that virtue is above self interest in a political constitution; “only the man has learnt to become master of himself will become a worthy and responsible member of society”.⁴⁹⁷ Consequently their ideas of free will are different since Hobbes’ will is only the last act of the judgment in a conflict between fear and hope and for that reason a voluntary act is determined only by the individual’s assessment of his own best interest.⁴⁹⁸ Therefore Hobbes’ emphasis on self interest never lets him to define the meaning of “free will” and therefore that of morality.

Conversely, Rousseau tries to construct his moral philosophy by considering all people in general not by means of an individual, his own beliefs and values or interest. It can be argued that Rousseau is more successful than

⁴⁹⁴ Rousseau, *Social Contract*, p. 135.

⁴⁹⁵ Rapaczynski, *Nature and Politics*, p. 242.

⁴⁹⁶ Rousseau, *Emile*, p. 437.

⁴⁹⁷ Grimsley, *The Philosophy of Rousseau*, p. 112.

⁴⁹⁸ Mintz, *The Hunting of Leviathan*, p. 103.

Hobbes in constructing a moral theory since Rousseau's theory seems to be practically effective and morally binding, while in Hobbes' theory apart from the fear of consequences subjects do not have the desire to keep the covenant they made freely.⁴⁹⁹ Moreover Kavka asserts that the fundamental rule of Hobbes' moral theory is to seek peace and his establishment of commonwealth explicitly rests on this fundamental rule.⁵⁰⁰ In other words, Hobbes' main concern is to seek peace and establish control without expanding freedom. He makes a summary of natural laws by claiming that "[w]hatsoever you require that others should do to you, that you do to them".⁵⁰¹ Hobbes seems to provide common good for the sake of the commonwealth by which all people can achieve the best results for them and appears to foreshadow Rousseau's general will.⁵⁰² But, because of his obsession with safety and control we cannot regard Hobbes as the defender of general will. Therefore, Hobbes could not construct a moral theory like Rousseau and he could not bind obligation to stronger causes apart from self interest or fear of the common power. Unlike Rousseau who claims that it is rationality which imposes obligation on us, Hobbes, by making man an egoistic, self interested and passionate animal, never achieved such a successful conclusion concerning morality in his obligation theory.

Rousseau claims that "whoever refuses to obey the general will shall be constrained to do so by the entire body; which means that he will be forced to be free".⁵⁰³ For Affeldt this means that as human freedom could only be achieved through obeying general will, all individuals participating in the constitution of a general will, should constrain each other to obey the

⁴⁹⁹ Pennock, "Hobbes' Confusing 'Clarity' - The Case of 'Liberty'", p. 435.

⁵⁰⁰ Kavka, *Hobbesian Moral and Political Theory*, p. 26.

⁵⁰¹ Hobbes, *Leviathan*, p. 92.

⁵⁰² Warrender, *The Political Philosophy of Hobbes, His Theory of Obligation*, p. 129.

⁵⁰³ Rousseau, *Social Contract*, p. 144.

general will.⁵⁰⁴ Although this appears to be a paradox, it does not eliminate freedom in Rousseau's theory. Rapaczynski claims that "by being forced to obey my reason I am forced by the community that embodies my own moral agency to be free".⁵⁰⁵ By giving each individual to politic body, Rousseau makes general will their wills. Therefore, obeying general will only means obeying the wills of the citizens. "Forcing to be free" should not be regarded as a statement eliminating freedom of the subjects.⁵⁰⁶

It is a matter of fact that freedom in Rousseau's political philosophy does not mean to do what you want to do but to control over desires and passions. "That man is truly free who desires only what he is able to perform, and does what he desires".⁵⁰⁷ In fact freedom in Rousseau's sense means to have self-control and obedience to self imposed laws and thus, his statement of "forcing to be free" should be understood in this framework. According to Raphael, Rousseau thinks that if men act according to common good, they will achieve harmony among themselves and they would not need to be compelled.⁵⁰⁸

Hocutt argues that Rousseau's concept of general will is not something conceivable therefore what Rousseau defends is not the general will but the will to general.⁵⁰⁹ He adds that political perfection, which is possible through general laws and subjects' consent to them, could only be achieved

⁵⁰⁴ Affeldt, "The Force of Freedom: Rousseau on Forcing to be Free", p. 315.

⁵⁰⁵ Rapaczynski, *Nature and Politics*, p. 262.

⁵⁰⁶ Riley, *Will and Political Legitimacy*, p. 115. See also Plamenatz, *Consent, Freedom and Political Obligation*, p. 26; and Hocutt, "Compassion without Charity, Freedom without Liberty: The Political Fantasies of Jean-Jacques Rousseau", p. 187 for the discussions on Rousseau's liberty.

⁵⁰⁷ Rousseau, *Emile*, p. xix.

⁵⁰⁸ Raphael, *Problems of Political Philosophy*, p. 65.

⁵⁰⁹ Hocutt, "Compassion without Charity, Freedom without Liberty: The Political Fantasies of Jean-Jacques Rousseau", p. 94.

by will to the general not by general will. Actually Rousseau claims that general will is the union of will and understanding in the political body, but Hocutt and Riley argue that if this understanding is provided by authority, then the idea of will which is autonomous authorizing faculty in Rousseau's theory is weakened.⁵¹⁰ In other words the will could not be both morally autonomous and subject to the influence of authority. Hocutt thinks that Rousseau never solved this question since "even Emile, the best educated of men, chooses to continue to accept the guidance of his teacher".⁵¹¹

According to Riley, Rousseau's general will is a rationalized will by the standards and conditions of idealized political body.⁵¹² Thus, for Riley, Rousseau by means of general will, did not allow freedom and could not construct a political body with free members but Rousseau transformed independent and free human beings to miserable slaves and eliminated their main characteristics which make men truly human.

However, Rousseau says that "[t]he sovereign can only be considered collectively and as a body but each individual, as a subject, has his private and independent existence".⁵¹³ In other words, Rousseau does not ignore the significance of individual wills and he also thinks that man chooses a particular attitude towards the world by means of deliberate act of will.⁵¹⁴ In fact man's behavior is directed by his will and reason which provides a proper place for individual freedom in his theory. Therefore it can easily be realized that different from Hobbes' theory, there is realization of individual freedom and free will in Rousseau's theory, since Hobbes' vocabulary

⁵¹⁰ *Ibid.*, p. 97 and Riley, *Will and Political Legitimacy*, p. 123.

⁵¹¹ *Ibid.*

⁵¹² Riley, *Will and Political Legitimacy*, p. 124.

⁵¹³ Rousseau, *Emile*, p. 427.

⁵¹⁴ Grimsley, *The Philosophy of Rousseau*, p. 91.

concerning the formation of society only consists of self interest, passions and fear, not free will.

By means of the general will Rousseau makes the citizens think and act according to common good and this is the reason why they are no longer interested in their particular wills which seek their own advantages. Yet, Grimsley suggests that in Rousseau's system "there is a deeper sense in which the citizen also seeks his interest, but he relates it to the preservation and well being of the community as a whole rather than to the pursuit of his own petty advantage".⁵¹⁵ Therefore although general will is important for Rousseau, still the individual exists and has importance as much as general will.

According to Rousseau, subjects do not lose their active roles in the civil society since it is the subjects who became sovereign. Clearly, subjects are active as legislative will of the political body and they are also passive having obedience to obey the laws. He also insists that, for a perfect legislation, all parts and institutions should work in harmony; the sovereign gives laws, government is responsible for execution and subjects obey these laws.⁵¹⁶ Hence, it can be seen that general will of people is the only determinant of the perfect legislation, because citizens make laws as the actors of the sovereign, they give existence to government and they are the subjects who have to obey these laws as well. Subjects never give up their legislative power and they continue to exist both as a sovereign and as a state agent. According to Grimsley the government as the executive instrument exists between the whole and the whole and facilitates communication between them, it transmits orders of people as sovereign to people as subjects.⁵¹⁷

⁵¹⁵ *Ibid.*, p. 103.

⁵¹⁶ Rousseau, *Social Contract*, p. 180.

⁵¹⁷ Grimsley, *The Philosophy of Rousseau*, p. 108.

Thus, what is supreme in Rousseau's system is not the law but the legislative will. In fact, the whole system of Rousseau is saved for the individual will by the fact that people always have a right to change the laws, even the best ones:

[I]n the State, there is no fundamental law that cannot be revoked, not even the social compact. For if all the citizens were to assemble in order to break this compact by common agreement, there is no doubt that it would be very legitimately broken.⁵¹⁸

In other words, when political body does not preserve common good and serve for public's safety, the people will have right of breaking the social contract; "it would be very legitimately broken" as it was done legitimately before.⁵¹⁹

What Rousseau emphasizes is the resistance to a sovereign as a legal act. In *Emile*, he asserts that "[t]he uprising that ends by strangling or dethroning a Sultan is as Lawful an act as those by which he disposed, the day before, of the lives and goods of his Subjects".⁵²⁰ For Rousseau, force can both maintain the sovereign and overthrow it.⁵²¹ Unlike Hobbes who regards rebellion only as a renewed war⁵²² and considers it as an act against reason⁵²³ Rousseau thinks that dominant power of the subjects have right to revoke any government and to change the form of it.

This means that for Rousseau the main determinant in political society is

⁵¹⁸ Rousseau, *Social Contract*, p. 197.

⁵¹⁹ *Ibid.*

⁵²⁰ Rousseau, *Emile*, p. 65.

⁵²¹ *Ibid.*

⁵²² Hobbes, *Leviathan*, p. 219.

⁵²³ *Ibid.*, p. 103.

people and no institution like government can be superior to the subjects and independent from the members of the community. In his system no monarch or prince can be above the laws since only the general will is responsible for making laws. However, the sovereign power in Hobbes can be regarded as superior to the subjects and its absoluteness contributes to his theory of obligation as it is clear in these words:

[B]enefits oblige; and obligation is thralldome; and unrequitable obligation, perpetual thralldome; which is to ones equal, hateful. But to have received benefits from one, whom we acknowledge for superior, enclines to love; because the obligation is no new depression; and cheerful acceptation (which men call Gratitude) is such an honour done to the obliger, as is taken generally for retribution.⁵²⁴

In contrast, Rousseau emphasizes that state is not a supreme and self-governing being but it is the product of people and everyone is a part of that whole body.⁵²⁵

As a matter of fact Rousseau holds a democratic view of sovereign and he defends that ultimate political authority can be safely left in the people's hands.⁵²⁶ Since he introduces state of nature differently from Hobbes, he does not make the sovereign so harsh an agent, whereas due to his pessimistic view of human nature, Hobbes insists on the absoluteness of sovereign and makes it necessary for individuals transfer all of their rights and power to the sovereign. Hobbes knows that authorizing such a great and unlimited power will have evil consequences but he adds that no matter they will be evil, it cannot be worse than the consequences in state of war. Since the end of Hobbes' commonwealth is only security, subjects have to pay whatever it costs, in other words they have obligation to obey the greatest

⁵²⁴ *Ibid.*, p. 71.

⁵²⁵ Rousseau, *Social Contract*, p. 138.

⁵²⁶ Grimsley, *The Philosophy of Rousseau*, pp. 117-118.

power and they cannot even question the absoluteness of its power.

Unlike Rousseau whose subjects are able to regulate the conditions of the association in a political society, Hobbes' subjects do not have any right of determining the conditions in which they live, they have no right of breaking any covenant and organize another form of government by their own will. Although both philosophers have similar views regarding obedience to laws for the sake of the citizens, their discussions on freedom of subjects differ. While Hobbes attributes absoluteness and superiority to the sovereign, Rousseau as a defender of individual liberty tries to eliminate the gap between the sovereign and subjects.

In order to secure the idea of common good in his theory Rousseau strongly rejects Hobbes' monarchic government and claims that monarchic form is the most vigorous government in which private will easily dominates the others. He claims that everything could easily move towards the same goal in a monarchy, and adds that it could not aim at public utility.⁵²⁷ He also declares that everything is used to obtain common good in free states, whereas monarchs make subjects miserable in order to govern them since the force of monarch is increased by the weakening the force of the subjects.⁵²⁸ Rousseau regards the monarch as master and sees him as a danger for civil state; "the very moment there is a master, there is no longer a sovereign and the body politic is destroyed".⁵²⁹

Rousseau is also against the idea of representation in Hobbes' system. Although his idea of consent seems to make representative government and government by consent one and the same, he strongly rejects the idea of representation. For him, sovereignty could not be represented since

⁵²⁷ Rousseau, *Social Contract*, p. 176.

⁵²⁸ *Ibid.*, p. 182.

⁵²⁹ Grimsley, *The Philosophy of Rousseau*, p. 99.

sovereignty is the exercise of will and the will could not be represented.⁵³⁰ Due to the fact that sovereign is a collective being, any part of it cannot transfer his will to a representative; Rousseau thinks that not will but only the power can be transferred.⁵³¹

Like him Hobbes also thinks that the will cannot be transmitted to a representative. For Winch what is transmitted to Hobbes' sovereign is power.⁵³² However, unlike Rousseau, Hobbes is the supporter of the idea of representatives since he thinks that a representative or representatives are necessary in order to unite the multitude of men.⁵³³ In his system, artificial man which subjects had created, has right to represent those subjects because it has right and power to conclude an agreement on the behalf of his subjects. In other words, as multitude transfers their power, rights and their names to the sovereign, the sovereign has the right to represent them and make decisions according to those made by the majority. This is the reason why, unlike Rousseau, Hobbes allowed sovereignty to be transferred to an all powerful ruler without destroying the existence of the commonwealth.

Concerning Rousseau's ideas on representatives, it can also be mentioned that in his theory representatives are needed to deal with public affairs only when private interests of people become superior to public good and when they do not realize that the sum of common good contributes to their individual good. However, as a matter of fact public service is the main business of citizens and people should not admit to be represented, since Rousseau argues that if there is represented there is no need of

⁵³⁰ Rousseau, *Social Contract*, p. 142.

⁵³¹ *Ibid.*, p. 145.

⁵³² Winch, "Man and Society in Hobbes and Rousseau", p. 249.

⁵³³ Hobbes, *Leviathan*, p. 114.

representatives.⁵³⁴ In short, for Rousseau, legislative power is the primary duty of citizens; laws are the main acts of the sovereign and no law can be a law without being ratified by the public; accordingly, deputies or representatives cannot participate in public affairs in the name of citizens.⁵³⁵

Moreover Rousseau argues that “the instant a [p]eople chooses [r]epresentatives, it is no longer free; it no longer exists”,⁵³⁶ therefore having representatives is same with renouncing one’s status as a man. According to Grimsley, in Rousseau’s society “the citizens can never transfer their supreme power or authority to anybody else” since the citizens cannot do it without destroying and dividing the political association.⁵³⁷

In fact, Rousseau’s emphasis on government by consent stands in the same way as the representative government but he prefers participatory democracy rather than the representative one. He adds that it is impracticable and cannot be applicable to mankind: “If there were a people of Gods, it would govern itself Democratically. Such a perfect Government is not suited to men”.⁵³⁸ Grimsley argues that democracy in Rousseau’s sense is obviously different from the modern idea of representative government because “he uses the term democracy in the ancient sense to mean a government by the people acting as a body and exercising both legislative and executive functions”.⁵³⁹

In addition, since Rousseau’s political principles rest on popular consent, they are democratic in their implications. However Rousseau doubts men’s

⁵³⁴ Rousseau, *Social Contract*, p. 194.

⁵³⁵ *Ibid.*

⁵³⁶ *Ibid.*

⁵³⁷ Grimsley, *The Philosophy of Rousseau*, p. 100.

⁵³⁸ Rousseau, *Social Contract*, p. 174.

⁵³⁹ Grimsley, *The Philosophy of Rousseau*, p. 109.

ability to put them into operation, therefore for him there must be great legislators to help the citizens.⁵⁴⁰ In Rousseau's words:

The general will is always right, but the judgment that guides it is not always enlightened. It must be made to see objects as they are, or something as they should appear to be; shown the good path it seeks; safeguarded against the seduction of private wills; shown how to assimilate considerations of time and place; taught to weigh the attraction of present, tangible advantages against the danger of remote, hidden ills.⁵⁴¹

In Rousseau's philosophy only consent can create duties and great legislators guide men on that issue since men do not know what they should consent to.⁵⁴² Grimsley asserts that the lawgiver has a very significant role in Rousseau's contract theory as it is the lawgiver who is responsible for the radical transformation of isolated natural man into moral beings in the political association.⁵⁴³

According to Winch, Rousseau's individual "must be taught what his true needs are and the conditions under which they can be fulfilled".⁵⁴⁴ That is to say, the individuals are led to see what is good for them and in fact Rousseau thinks that men's whole nature is created by education.⁵⁴⁵ Furthermore in *Emile* Rousseau claims that man needs only education

⁵⁴⁰ *Ibid.*, p. 107.

⁵⁴¹ Rousseau, *Social Contract*, p. 154.

⁵⁴² Riley, *Will and Political Legitimacy*, p. 16.

⁵⁴³ Grimsley, *The Philosophy of Rousseau*, p. 106.

⁵⁴⁴ Winch, "Man and Society in Hobbes and Rousseau", p. 236.

⁵⁴⁵ *Ibid.*, p. 234.

because, “all that [he] lack[s] at birth is the gift of education”.⁵⁴⁶ If he were not educated, he would become a monster.⁵⁴⁷

Rousseau regards political education as a solution to inequality and thus he thinks that it contributes to common good. If the sovereign is considered as the agent responsible for political education, it can be claimed that unlike Hobbes whose sovereign seems to coerce subjects as a force, Rousseau’s sovereign appears to direct and guide subjects in order to provide common good.

Rousseau believes that through education, Emile who is the best educated man learns how to obey his reason. That is to say, he obeys his own free will and by means of education he understands that no one other than himself can become the master of his will.⁵⁴⁸ For that reason, Rousseau thinks, subjects should be educated in order to learn to be free. He reinforces this point by claiming in *A Discourse on Political Economy*:

There can be no patriotism without liberty, no liberty without virtue, no virtue without citizens; create citizens, and you have everything you need; without them, you will have nothing but debased slaves, from the rulers of the State downwards. To form citizens is not the work of a day; and in order to have men it is necessary to educate them when they are children.⁵⁴⁹

Although Rousseau puts emphasis on liberty of subjects while suggesting the necessity of education, some authors criticize him and claim that Rousseau ignores liberty of subjects and only suggests a political education. Riley argues that “Rousseau is speaking not of consent or will but of a kind

⁵⁴⁶Rousseau, *Emile*, p. 10.

⁵⁴⁷ *Ibid.*, p. 5.

⁵⁴⁸ *Ibid.*, p. 298.

⁵⁴⁹ Rousseau, Jean- Jacques. *A Discourse on Political Economy*. Available from <http://www.constitution.org/jjr/polecon.htm>.

of political education that will promote a sense of the common good”,⁵⁵⁰ and Hocutt makes a similar argument and claims that what is important in Rousseau’s theory is not consent but political education which directs people to serve for public good.⁵⁵¹ For these authors, if children are educated according to the laws which serve only for the common good, their private interests will never contradict public and a common morality. However, it can be argued that such an education eliminates the free will of subjects and makes all men prototype citizens. Thus Riley thinks that sovereign obtains a right to deceive people by means of education.⁵⁵² In other words, Riley believes that men are misled by sovereign and they could not be free after political education but they will only be in a position to say “I have decided to be what you made me”.⁵⁵³

However, after education Emile says that “I have decided to be what you made me; of my own free will I will add no fetters to those imposed upon me by nature and the laws”.⁵⁵⁴ It is obvious that Rousseau puts emphasis on Emile’s “own free will”. According to Rousseau the student makes decisions by his free will. Although the student learnt everything from his teacher, he has the right to make decisions on his own, but the impacts of his teacher and education could not be ignored since the student evaluates and thinks everything in this framework. Yet, it could be improper to argue that such an education removes freedom of subjects and makes them wholly depend on teacher and his values. In *Emile*, Rousseau claims that student could never take a step that the teacher has not foreseen and he adds that the

⁵⁵⁰ Riley, *Will and Political Legitimacy*, p. 113.

⁵⁵¹ Hocutt, “Compassion without Charity, Freedom without Liberty: The Political Fantasies of Jean-Jacques Rousseau”, p. 93.

⁵⁵² Riley, *Will and Political Legitimacy*, p. 116.

⁵⁵³ *Ibid.*, p. 118.

⁵⁵⁴ Rousseau, *Emile*, p. 435.

student could only do what the teacher wants him to do.⁵⁵⁵ What Rousseau tries to imply in these words is that it is the teacher who taught what is reasonable to the student, and from now on the student acts according to his reason. Moreover he claims in the same book that “[t]he truly free man wants only what he can do and does what he pleases”.⁵⁵⁶ This is Rousseau’s fundamental maxim. Still he refers to what is reasonable, and it can be argued that there is nothing contradictory in Rousseau’s theory, since he equates doing what conforms to common good and being free. In other words, since man learns to obey his reason and to be free, Rousseau’s statements in *Emile* do not eliminate freedom of the subjects and turn them to miserable slaves.

Rousseau says that children are taught to obey their reason and to behave according to the laws only in order to achieve public felicity and morality. However, this does not mean to prevent people from legislating laws or make them slaves of the sovereign. Rapaczynski argues that Rousseau’s subjects are free even in making injury to themselves and legislating bad laws because “the practical harm that they might cause to themselves could never be greater than the moral damage they would suffer by being deprived of their freedom”.⁵⁵⁷

Although Rousseau tried to give rights to subjects by generalizing the will Hocutt argues that such an attempt is impossible because the ideas of generality and of will are mutually exclusive. He adds that the will is a concept of individuality and it is not possible to insure that this individual will would want only what the common good requires.⁵⁵⁸ For him,

⁵⁵⁵ *Ibid.*, p. 85.

⁵⁵⁶ *Ibid.*, pp. 83-84.

⁵⁵⁷ Rapaczynski, *Nature and Politics*, p. 261.

⁵⁵⁸ Hocutt, “Compassion without Charity, Freedom without Liberty: The Political Fantasies of Jean-Jacques Rousseau”, p. 92.

individual wills are molded not to appear in contradiction to society, but Rousseau makes the subjects think and act like the rest. Moreover, Grimsley argues that the establishment of a society reduces self-sufficient primitive men to the status of mere puppets. Thus man loses his personal reality and can never be truly himself in a political association.⁵⁵⁹ In other words, Grimsley thinks that there is contradiction between the freedom of natural man and the enslavement of modern society. In *Discourse on the Origins of Inequality* Rousseau claims that people ran to meet their chains by transforming into a political society, therefore Rousseau sees general will as a solution and introduces it as a necessity in achieving freedom in a civil association.⁵⁶⁰ In brief, Rousseau does not construct his system resting on suppressed individual wills; rather he makes his subjects social and moral beings who are enjoying their free lives in a secure society.

As a matter of fact, freedom does not mean unlimited freedom in Rousseau's theory since discussing individual freedom is nonsense in a political society. Hence, for Rousseau what is discussed is the political liberty, not the personal liberty as "[m]aintain a sense of political belonging and autonomy is more important than personal freedom".⁵⁶¹ Rousseau thinks that subjects do not have complete liberty in commonwealths, and that it is impossible for the sovereign to have complete authority even in monarchy. However, according to Hobbes "every Commonwealth, not every man, has an absolute liberty to do what it shall judge, that is to say, what that man or assembly that representeth it shall judge, most conducing to their benefit".⁵⁶² As it is obvious, authoritarianism and absolute rights of the sovereign avoid subjects of Hobbes to have freedom as much as that of Rousseau's.

⁵⁵⁹ Grimsley, *The Philosophy of Rousseau*, pp. 20-21.

⁵⁶⁰ Rousseau, *Discourse on the Origins of Inequality*, p. 54.

⁵⁶¹ Hampsher, *A History of Modern Political Thought*, p. 191.

⁵⁶² Hobbes, *Leviathan*, p. 149.

In addition to this, fear as one of the most important concepts of Hobbes leads his subjects to appear to have less freedom than Rousseau's, since subjects in Rousseau's theory do not obey the sovereign only because they fear but they become subjects to him only because they give consent to him. Unlike Hobbes, for Rousseau "a man enslaved in war or a conquered people is in no way obligated toward his master, except to obey for as long as he is forced to do so".⁵⁶³ Unless they voluntarily choose the conqueror as their leader they do not have obligation to obey him because the central axiom of Rousseau is that political obligation is only the product of personal will and only consent ties individuals to the sovereign.⁵⁶⁴

What is more, unlike Hobbes who thinks man as a physical being without moral aspect, Rousseau deals with man's metaphysical side as well. Hobbes analyzes freedom in its relation to authority and deals only with personal existence whereas Rousseau discusses freedom from ethical approach and he successfully constructs an ethical theory unlike Hobbes.

It can also be mentioned that Hobbes is criticized for he does not take attention to the situation of human beings and only establishes control aimed to provide social order. In other words, for Hobbes, being a limited animal or being an intelligent being does not matter as long as there is security in the political society. However, Rousseau asserts that "[l]ife is tranquil in jail cells, too".⁵⁶⁵ Thus, in contrast to Hobbes, Rousseau does not only deal with protection or calmness of society but he also discusses the question of happiness with morality. For him obeying laws creates freedom and makes

⁵⁶³ Rousseau, *Social Contract*, p. 137.

⁵⁶⁴ Schochet, G. J. "Intending (Political) Obligation: Hobbes and the Voluntary Basis of Society", in *Thomas Hobbes and Political Theory*, ed. Mary G. Dietz (Lawrence, Kan.: University Press of Kansas, 1990), p. 57.

⁵⁶⁵ Rousseau, *Social Contract*, p. 134.

the subjects virtuous and as being virtuous produces an inner satisfaction it also makes them enjoy happiness.⁵⁶⁶

As mentioned earlier, Hobbes suggests that private interests of men should be directed to one common benefit to escape from state of war. Hence Warrender argues that Hobbes foreshadowed Rousseau's theory of general will.⁵⁶⁷ In *De Cive* Hobbes also claims that "FREE MAN is one who serves only the commonwealth".⁵⁶⁸ Thus it can be claimed that Hobbes and Rousseau made similar arguments regarding the relation between acting according to common good and freedom, but it is clear that they did not achieve similar conclusions on the possibility of individual freedom. Rapaczynski asserts that unlike Hobbes, "Rousseau sets out to explore the possibility of reimposing some limitations on human acquisitiveness and proposes a revolutionary alternative to the system established on liberal, individualistic assumptions".⁵⁶⁹

In conclusion, although there are liberal voluntarist foundations in Hobbes' theory, he constructs an authoritarian political theory.⁵⁷⁰ Put another way, as Gauthier claims, Hobbes "constructs a political theory which bases unlimited political authority on limited individualism",⁵⁷¹ however Rousseau constructs his theory by means of reason and conscience and he turns natural men into social and moral beings living freely under a sovereign as being indivisible parts of it.

⁵⁶⁶ Grimsley, *The Philosophy of Rousseau*, p. 21.

⁵⁶⁷ Warrender, *The Political Philosophy of Hobbes, His Theory of Obligation*, p. 129.

⁵⁶⁸ Hobbes, *De Cive*, p. 112.

⁵⁶⁹ Rapaczynski, *Nature and Politics*, p. 9.

⁵⁷⁰ Riley, *Will and Political Legitimacy*, p. 21.

⁵⁷¹ Gauthier, *The Logic of Leviathan*, p. vi.

CHAPTER 5

CONCLUSION

The basic aim of this thesis was to examine the concept of freedom in the political theories of Thomas Hobbes and Jean Jacques Rousseau by an integral analysis of their major works, namely *Leviathan*, *De Cive*, *Social Contract* and *Discourse on the Origins of Inequality*. The focus of the thesis was to compare their accounts on freedom in their social contract theories. In this work, I investigated the accounts of evolution into political societies, active participations of subjects in the sovereign's will, the rights and duties of both the subjects and the sovereign, and the role of free will of the individuals in commonwealths. In order to do that, I investigated the meanings of general will, consent, authorization and sovereignty by concentrating on the major works of Hobbes and Rousseau.

Hobbes thinks that an investigation of the state of nature is essential in order to indicate the need for a commonwealth and a common power. For Gauthier, Hobbes' primary aim is to indicate the way to security, therefore Hobbes emphasized order and security as the significant functions of the state rather than focusing on welfare and justice.⁵⁷² His stress on fear as the main motive in entering into society and as the cause of obeying laws of the sovereign lead to questions about free will of the subjects. However Rousseau replaces Hobbes' fear with common good and sees the sovereign

⁵⁷² Gauthier, *The Logic of Leviathan*, p. 161.

and the subjects as equal agents by giving the subjects the legislative will and uniting them under the exercise of the general will.

Hobbes, by authorization, tries to rationalize political obligation and he claims that no authority could be legitimate without the consent or free choice of people. That is to say, he argues that the main reason for obedience is consent and not the fear of the sovereign. As he indicates the consistency between fear and liberty and defines will as the last appetite without introducing rational consideration, he easily asserts that agreements done out of fear or obeying the sovereign out of fear do not take away liberty of the subjects. Reason for Hobbes is not to will, to think or to choose but it can only calculate facts and decides whether something is for one's interest or not. Therefore, subjects by their reasons decide to obey the sovereign and its laws for their own sake. This means that unless the individual chooses to become a subject, he chooses to die in Hobbes' natural state therefore it can be argued that such an action with a threat cannot be free.

The absolute power of Hobbes' sovereign is another challenging point in his theory as he legitimized every act of the sovereign by claiming that the end of the authority is the preservation and well being of its subjects. Practically, in political affairs, authority should be backed by coercive power, but what is problematic about Hobbes' power is its absoluteness and superiority to the subjects. For him, whatever the sovereign does is for the sake of peace and security of the people and his actions are the actions of the subjects as well. In other words, Hobbes prepares the ground for absolute character of the sovereign and he tries to make freedom of subjects possible by resting on the importance of authorization. It is necessary to reemphasize that for Hobbes liberty is not the liberty of isolated individuals but of the commonwealth.⁵⁷³ Therefore, liberty could not be defined as exemption

⁵⁷³ Hobbes, *Leviathan*, p. 149.

from subjection to laws, on the contrary, for him, liberty becomes impossibility.⁵⁷⁴ Briefly Hobbes tries to justify the absolute power of the sovereign, and he, by means of stressing its necessity in preventing anarchy, aims to show that such a power does not harm the liberty of the subjects. In other words Hobbes sees absolute power necessary for achieving absolute security among self interested and aggressive individuals.

Hobbes rationalizes the existence of a common power and defines it as a tool for achieving justice, but he is criticized because of his great emphasis on the necessity of the threat of force behind the laws of the state. The subjects having authorized the sovereign, act as if the will of the sovereign is their own will but in fact they obey the sovereign authority and accept the constraints on them only because of the threat of the force, that is to say freedom of the subjects and their obedience towards absolute power cannot be reconciled in Hobbes' theory. As a result he is criticized as defending a supreme sovereign and eliminating the freedom of subjects.

Another point which makes his critics believe that Hobbes tried to put restraints on the freedom of the subjects in writing in favor of monarchy is his views on the resistance to the sovereign. In order to prevent anarchic consequences, Hobbes disallows all active resistance to the sovereign and argues that although people legally make a covenant, they cannot break it without acting unjustly.⁵⁷⁵ Once individuals authorize the sovereign, they cannot break the covenant and become free from subjection to the authority in any way. Since Hobbes asserts that injustice and injury is not possible by the sovereign, it is reasonable for him to say that there is no need of resistance. Hence for the individuals, there will be no good reason to break the covenant. Therefore, the subjects have to obey the sovereign as they give themselves to the sovereign authority without stint and cannot resist it for he

⁵⁷⁴ *Ibid.*, p. 147.

⁵⁷⁵ *Ibid.*, p. 126.

is always just and right.⁵⁷⁶ Their past consent towards it guarantees future consent. In other words, if men give consent to whatever the government might do in future, they can never decide to stop serving for the commonwealth and become free.

It is clear that Hobbes' great aim is to provide security, and that therefore he puts much more emphasis on security than liberty. In Hobbes' theory, freedom could be possible only after achieving absolute security in a political society. In other words, freedom cannot be meaningful without a coercive power which guarantees the lives of the subjects. The power of the sovereign, obedience to it, restrictions on the subjects' rights are all necessary for protection of the subjects and of the commonwealth. Therefore, for Hobbes, subjects, regardless of their liberties, should obey the sovereign and accept limited liberty and rights for getting protection from the authority and living in a secure society.

Unlike Hobbes, Rousseau's main concern is freedom. According to Grimsley, Rousseau thinks that freedom is a valuable attribute which alone makes the realization of personal existence possible.⁵⁷⁷ Therefore, renouncing freedom for whatever reason means degrading human existence. In fact, Rousseau tries to conceive a body politic in which each individual still obeys his own free will when he is obeying the general will. He never disregards the role of "free will" of the subjects since he thinks that an individual cannot become a truly human being without the activity of his own free will.⁵⁷⁸ In other words, in contrast to Hobbes, for Rousseau the main task of a political society is to reconcile order and security with freedom.

⁵⁷⁶ *Ibid.*, p. 114.

⁵⁷⁷ Grimsley, *The Philosophy of Rousseau*, p. 161.

⁵⁷⁸ Rousseau, *Social Contract*, p. 135; and Riley, *Will and Political Legitimacy*, pp. 82, 117.

Like Hobbes, Rousseau states that men should renounce their rights and power in order to be one under a sovereign. If some rights remain in individuals, everyone as his own judge cannot enjoy security provided by the total strength of all individuals. Therefore, they choose to submit themselves to a common force. However, Rousseau does not agree with Hobbes about absolutism as the remedy for the condition in the state of nature because of his different conception of the state of nature. Rather, Rousseau emphasizes the creation of the common good in a political association and thinks that subjects have obligation to obey the sovereign as long as laws are directed to the ends of justice and the common good. Explicitly, the sovereign of Rousseau as the guarantor of peaceful society also provides equality of right and justice; consequently, it becomes the guarantor of freedom in Rousseau's political philosophy.

Natural freedom limited with individual forces turns to be civil freedom limited with general will and moral values with Rousseau. Clearly, man realizes his being after entering into the political society and gains true freedom by means of obeying the laws of the state. Since each individual engages in the act of the sovereign, all subjects should act according to the general will and conventional freedom gets its meaning in this framework. Furthermore, for Rousseau liberty means being free from all private dependence and being dependent to the state only. That is why Rousseau tries to strengthen the unity of the civil association and to make subjects free from dependence on all other subjects. It can be argued that in his society, being depended on the city does not harm liberty but only the laws and state constitute the liberty of its members.⁵⁷⁹

Since without exception all citizens, are involved in the political body, each associate obeys his own will while obeying the general will. What Rousseau puts emphasis on is that subjects are both parts of the state and the

⁵⁷⁹ Rousseau, *Social Contract*, p. 58.

sovereign; they obey the laws as parts of the state and they participate in the formation of them as parts of the sovereign. At this point, the difference between Hobbes and Rousseau is clearly seen: individuals in Rousseau's theory are both superior to and subject to their obligations. Subjects do not have an obligation to obey an independent sovereign which is superior to them; rather it is the people who create the laws and obligations. In Hobbes' political society sovereign power seems to be an independent agent from subjects, and subjects appear to be passive beings who are only obeying what the sovereign commands, nevertheless in the political body of Rousseau, subjects as the parts of the sovereign gain active and significant roles in both establishing and maintaining civil association.

In addition to this, Rousseau, different from Hobbes, argues that virtue is above self interest in a political constitution. Due to his emphasis on self interest Hobbes could not define the meaning of "free will" and therefore that of morality. However, it seems that Rousseau was able to make physical beings of Hobbes moral creatures. Rousseau asserts that being virtuous means to be free and he puts morality on rational grounds. His emphasis on freedom could also be seen in his accounts on morality; he thinks that morality presupposes freedom and that the actions of an individual could not be moral if he surrenders his freedom.⁵⁸⁰ Actually as Rapaczynski argues, for Rousseau, freedom is the necessary and sufficient condition of virtue in man.⁵⁸¹

The principal aim of Hobbes was to seek peace and establish security and not to expand freedom of the subjects. Although he seems to provide common good for the sake of the commonwealth by which all people can achieve the best results for them, his obsession with security never lets him to give a higher value to common good or justice than security. It can be

⁵⁸⁰ *Ibid.*, p. 135.

⁵⁸¹ Rapaczynski, *Nature and Politics*, p. 242.

argued that Hobbes could not bind obligation to stronger causes apart from self interest or fear of the common power and he was not able to construct a moral theory like Rousseau, rather he tried to establish control among egoistic and passionate animals by introducing the necessity of supreme power with an iron hand.⁵⁸²

Some authors focus on Rousseau's paradox of "forcing to be free" and stress the significance of political force in Rousseau's society like Hobbes'. Hocutt and Plamenatz argue that force is a necessary element to avoid political disunity, and that Rousseau's liberty is also attained by coercion. Hence, they think that freedom does not make sense and cannot be considered as true freedom in Rousseau's system therefore Rousseau's philosophy becomes closer to that of Hobbes.⁵⁸³ In addition to this, Hocutt opposes Rousseau's account on general will as the union of wills and understanding and argues that the idea of general will weakens the idea of individual will as the autonomous authorizing faculty.⁵⁸⁴ Therefore, individual will could not be autonomous, since it is influenced by the authority and by general will in a political society. In fact authors like Riley and Hocutt claim that general will does not allow freedom of the subjects but it transforms them into miserable slaves obeying general will only.

Nevertheless, it is clear that freedom in Rousseau's sense means to have control over desires and passions and to be obedient to self imposed laws. If subjects, for him, act according to common good, they will be free and need not to be compelled by general will. Thus, his statement of "forcing to be

⁵⁸² Hobbes, *De Cive*, p. 84; Sommerville, *Thomas Hobbes: Political Ideas in Historical Context*, pp. 2-3, 49.

⁵⁸³ Hocutt, "Compassion without Charity, Freedom without Liberty: The Political Fantasies of Jean-Jacques Rousseau", p. 187; and Plamenatz, *Consent, Freedom and Political Obligation*, p. 26.

⁵⁸⁴ *Ibid.*, p. 97.

free” and accounts on freedom should be understood in this context as one cannot do what one wants to do in political associations.

Moreover, Rousseau never ignores the role of individual will while defending the general will and the common good. Although the sovereign is considered as a collective body, still the subjects have independent and private wills.⁵⁸⁵ It is the subjects who become sovereign and they, being legislative will of the body, are the only determinants of the perfect legislation. That is to say, subjects never give up their legislative power and they continue to exist both as parts of the sovereign and as parts of the state. Thus, unlike Hobbes’ theory which is focused on self interest, passions, fear and supreme power of the sovereign, there is realization of individual freedom as well as that of general will in Rousseau’s political society.

Furthermore, it could also be claimed that, unlike Hobbes, Rousseau’s system is saved for the individual will; subjects have the right to change laws and even they have the right to break the social contract. When the political body does not serve for the common good and public’s safety, the social contract could legitimately be broken by its subjects.⁵⁸⁶ Although Hobbes considered rebellion as a renewed war⁵⁸⁷ and argued that resistance or rebellion is against reason, Rousseau gave power and right to the subjects to revoke any government. It is clear that for Rousseau the main determinant in a political society is people and no institution, government or monarch can be superior to the members of the community.

Since Rousseau understands the state of nature differently from Hobbes, he does not make the sovereign the supreme and the independent being, however Hobbes insists on the absoluteness of sovereign due to his

⁵⁸⁵ Rousseau, *Emile*, p. 427.

⁵⁸⁶ Rousseau, *Social Contract*, p. 197.

⁵⁸⁷ Hobbes, *Leviathan*, p. 219.

pessimistic view of the human nature and makes it necessary for individuals to transfer all of their rights and power to the sovereign. As the end of Hobbes' commonwealth is security, subjects have to pay whatever it costs, in other words they have obligation to obey the absolute power unconditionally in order to get protection from it. Therefore it can be argued that while Hobbes attributes absoluteness and superiority to the sovereign, Rousseau as a defender of individual liberty tries to eliminate the gap between the sovereign and the subjects and leaves room for individual will and freedom.

It will be useful to reemphasize that freedom does not mean unlimited freedom in Rousseau's theory, since individual freedom is nonsense in a political society. Thus, it is clear that what is discussed is not the personal freedom but the political freedom which is considered as more important than the personal one. In Rousseau's political theory, subjects do not have complete liberty; similarly the sovereign cannot have absolute liberty or authority. This means that, unlike Hobbes' theory, in which authoritarianism and absolute rights of sovereign avoid subjects having freedom, in Rousseau's theory there is room for individual freedom. Lastly, it can be argued that Hobbes constructed his political theory on limited individualism and introduced the necessity of unrestricted political power because of his pessimistic view of human nature and consequently he is considered as a defender of repressive governments which make people slaves. However, Rousseau constructed his theory on the idea of "freedom" of the subjects and turned physical beings of Hobbes into social and moral beings who actively participate in the political body and enjoy their lives as indivisible parts of it.

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