**University of Oum El Bouaghi February, 08, 2025**

 **Faculty of Law and political sciences First Year**

**Department of Political sciences**

###  The Laws of Nature and the Social Contract:

### Hobbes’s biography is dominated by the political events in England and Scotland during his long life. Born in 1588, the year the Spanish Armada made its ill-fated attempt to invade England, he lived to the exceptional age of 91, dying in 1679. He was not born to power or wealth or influence: the son of a disgraced village vicar, he was lucky that his uncle was wealthy enough to provide for his education and that his intellectual talents were soon recognized and developed (through thorough training in the classics of Latin and Greek). Those intellectual abilities, and his uncle’s support, brought him to university at Oxford. And these in turn—together with a good deal of common sense and personal maturity—won him a place tutoring the son of an important noble family, the Cavendishes. This meant that Hobbes entered circles where the activities of the King, of Members of Parliament, and of other wealthy landowners were known and discussed, and indeed influenced. Thus intellectual and practical ability brought Hobbes to a place close to power—later he would even be math tutor to the future King Charles II. Although this never made Hobbes powerful, it meant he was acquainted with and indeed vulnerable to those who were. As the scene was being set for the Civil Wars of 1642-46 and 1648-51—wars that would lead to the King being executed and a republic being declared—Hobbes felt forced to leave the country for his personal safety, and lived in France from 1640 to 1651. Even after the monarchy had been restored in 1660, Hobbes’s security was not always certain: powerful religious figures, critical of his writings, made moves in Parliament that apparently led Hobbes to burn some of his papers for fear of prosecution.

Hobbes thinks the state of nature is something we *ought* to avoid, at any cost except our own self-preservation (this being our “right of nature,” as we saw above). But what sort of *ought* is this? There are two basic ways of interpreting Hobbes here. It might be a counsel of prudence: avoid the state of nature, if you’re concerned to avoid violent death. In this case Hobbes’s advice only applies to us (i) if we agree that violent death is what we should fear most and should therefore avoid; and (ii) if we agree with Hobbes that only an unaccountable sovereign stands between human beings and the state of nature. This line of thought fits well with an egoistic reading of Hobbes, but it faces serious problems, as will be seen.

The other way of interpreting Hobbes is not without problems either. This takes Hobbes to be saying that we ought, morally speaking, to avoid the state of nature. We have a duty to do what we can to avoid this situation arising, and a duty to end it, if at all possible. Hobbes often makes his view clear, that we have such moral obligations. But then two difficult questions arise: Why *these* obligations? And why are they *obligatory*?

Hobbes frames the issues in terms of an older vocabulary, using the idea of [natural law](https://iep.utm.edu/natlaw/) that many ancient and medieval philosophers had relied on. Like them, he thinks that human reason can discern some eternal principles to govern our conduct. These principles are independent of (though also complementary to) whatever moral instruction we might get from God or religion. In other words, they are laws given by nature rather than revealed by God. But Hobbes makes radical changes to the content of these so-called laws of nature. In particular, he does not think that natural law provides any scope *whatsoever* to criticize or disobey the actual laws made by a government. He thus disagrees with those Protestants who thought that religious conscience might sanction disobedience of immoral laws, and with Catholics who thought that the commandments of the Pope have primacy over those of national political authorities.

Although he sets out nineteen laws of nature, it is the first two that are politically crucial. A third, that stresses the important of keeping to contracts we have entered into, is important in Hobbes’s moral justifications of obedience to the sovereign. (The remaining sixteen can be quite simply encapsulated in the formula, *do as you would be done by*. While the details are important for scholars of Hobbes, they do not affect the overall theory and will be ignored here.)

The first law reads as follows:

Every man ought to endeavor peace, as far as he has hope of obtaining it, and when he cannot obtain it, that he may seek and use all helps and advantages of war. (Leviathan, xiv.4)

This repeats the points we have already seen about our *right of nature*, so long as peace does not appear to be a realistic prospect. The second law of nature is more complicated:

That a man be willing, when others are so too, as far-forth as for peace and defense of himself he shall think it necessary, to lay down this right to all things, and be contented with so much liberty against other men, as he would allow other men against himself. (Leviathan, xiv.5)

What Hobbes tries to tackle here is the transition from the state of nature to civil society. But how he does this is misleading and has generated much confusion and disagreement. The way that Hobbes describes this second law of nature makes it look as if we should all put down our weapons, give up (much of) our “right of nature,” and jointly authorize a sovereign who will tell us what is permitted and punish us if we do not obey. But the problem is obvious. *If the state of nature is anything like as bad as Hobbes has argued, then there is just no way people could ever make an agreement like this or put it into practice.*

***Questions:***

***Task1:***

*Discuss* ***the social contract*** *as seen by Hobbes !*

***Task2:***

*What is* ***his contribution in the western political thought*** *in general ?*

***Task3:***

*Determine* ***his main ideas about the state*** *according to the text*

***Task4:***

*Find in the text:*

***1/ a phrase***

***2/ a clause***

***3/ a sentence***

***4/ a passive form sentence***

***5/ an active form sentence***

***Task5:***

*Translate the following into* ***Arabic****:*

“Hobbes thinks the state of nature is something we *ought* to avoid, at any cost except our own self-preservation (this being our “right of nature,” as we saw above). But what sort of *ought* is this? There are two basic ways of interpreting Hobbes here. It might be a counsel of prudence: avoid the state of nature, if you’re concerned to avoid violent death. In this case Hobbes’s advice only applies to us (i) if we agree that violent death is what we should fear most and should therefore avoid; and (ii) if we agree with Hobbes that only an unaccountable sovereign stands between human beings and the state of nature.”

**Your teacher I.Benammar**