

The Theory of Rational Political Selection

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Abstract: This is a paper on legal philosophy. In this paper, I modify Thomas Hobbes's state of nature to include both men and women, hence humankind. Humankind in this state of nature become acutely aware of their predisposition to fear, violence and civil war. They further realize that the longevity of the human species can only be attained if power is handed over to a central figure. They accept that resources are limited, and human needs are unlimited. They accept that a class struggle is as destructive as arbitrary violence. They resolve to enter into a social contract among themselves in which they hand over power to a communist party, which ensures that social cohesion and peaceful coexistence prevail. This party will also ensure that a class struggle does not occur in society. It will ensure that the concept of property ownership undergoes regulation to prevent inevitable conflict regarding property.

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Biographical footnote¹

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1. Introduction

The purpose of this paper is to present a concept of an ideal society within the restraints of jurisprudence. The theory of rational political selection (hereinafter referred to as **TORPS**) is original in so far as the type of government it selects, the reasons for this, the inclusion of women in the state of nature and the inclusion of the economic principle of scarcity in the laws of nature.

It postulates that humankind that exist in a modified Hobbesian state-of-nature become cognizant of their state of nature. This includes both their biogenic and psychogenic predispositions. Along with this realization, they become further familiar with the vital aspects needed to support the sustainable continuation of the human species in the long term. That is they further realize that there are limited resources with unlimited human needs.² To escape the dire situation they are in in the state of nature, they resolve to enter into a contract with each other to hand over power to a custodian. They reject the government types of aristocracy, absolute monarch, and sovereign. Instead, in keeping with Hobbesian methodology of the social contract, they agree to perform or tender their obligation in this contract first. The custodian is left to establish a constitution and deliver the same. The custodian is a communist party who guarantees that the 'war of everyone against everyone,' will cease and not transpire.

The first problem TORPS faces is presenting a modified state of nature. The problems are fourfold: 1: Hobbes used the concept of the isolated male as his point of departure. This is typical of the 17th century in that this period did not regard women as being equal to men. Therefore, 'man,' is amended to 'humankind,' which recognizes the equality between men and women; 2: Hobbes perceived the entity that a contracting community would hand over power to as 'a commonwealth,' alternatively 'sovereign,' which is a king or absolute monarch. 'Commonwealth,' is therefore amended to 'custodian;' 3: The scarcity of resources and the unlimited nature of human needs is not dealt with by Hobbes whatsoever and is therefore included in the psyche of humankind. 4: Hobbes identifies the rights of the sovereign in chapter 18 of *Leviathan*, these rights are included herein but not used. I depart with Hobbes on the issue of rights of the sovereign by substituting it with the rights of the communist party.

Thomas Hobbes is renowned for his state of nature and social contract legal philosophies.³ He is one of the founding fathers of legal philosophy. This is so because he did not address politics in terms of any religious doctrine of his time but rather approached politics

² Samuelson Paul A I *Economics* (McGraw-Hill 1980) 17.

³ Hobbes T *The Leviathan* (Cambridge University Press 1904) 83.

scientifically.⁴ In answer to the question: What is Hobbes's main theoretical problem? The answer is that his main theoretical problem is establishing social and political cohesion, which is how humankind can coexist peacefully, and avoid a situation of devastating civil strife.⁵ He gives humankind two choices, either submit to an absolute monarch or contend with a state of nature which is an extreme case of civil war and a complete lack of safety and security.⁶ Leviathan, therefore, submits that social cohesion and civil peace is best brought about by a social contract.⁷

11. Historical perspective

Thomas Hobbes was born on 5 April 1588.⁸ Later in life, he said 'fear and I were born twins together,' and that he was born prematurely.⁹ The reason he made such a startling admission is that his mother heard of the imminent invasion of the Spanish Armada, and as a direct result of this gave birth prematurely.¹⁰ Hobbes died on 4 December 1679.¹¹ His last words were "Now I am about to take my last voyage, a great leap in the dark."¹² Thomas Hobbes published Leviathan at the age of sixty-three (63) in 1651. This is a work on legal political theory. During this year on 3 September 1651, the English civil war ended. Having been born on 5 April 1558, he was entering a period of civil strife. This civil strife started in 1625 and continued through to 1651.¹³ Two forces faced off with each other, English parliament and the King regarding money the King wanted to further his war with Spain.¹⁴ There were three different civil wars: The first commenced in 1642 and ended in 1646.¹⁵ Charles 1 substantially raised the standard of war, which pitted father against son, and brother against brother.¹⁶ Religion played a major role in this civil war, as Charles 1 wanted to impose 'popish,' reforms; he wanted to introduce the Anglican prayer book upon Scotland.¹⁷ Charles 1 had the support of Wales, the west and the east, while Parliament controlled London, the east and the south.¹⁸ The second civil war started in 1648 and ended in 1649.¹⁹ An uprising of the royalist occurred which saw England being invaded by the Scots.²⁰ Religion again took the spotlight as Charles 1 started negotiations with various interest groups, and agreed with the Scots to accept Presbyterianism as the official religious system in England in return for their military support.²¹ This civil war ended with the beheading of Charles 1.²² The third and last civil war

⁴ Hobbes T *The Leviathan* (Cambridge University Press 1904) 25, 26, 66 and 109.

⁵ Hobbes T *The Leviathan* (Cambridge University Press 1904) 84.

⁶ Hobbes T *The Leviathan* (Cambridge University Press 1904) 8, 89, 90, 120 and 122.

⁷ Hobbes T *The Leviathan* (Cambridge University Press 1904) 8, 89, 90, 120 and 122.

⁸ Hobbes T *The Leviathan* (Cambridge University Press 1904) 6.

⁹ Norman Davies, *Europe: A history* (Oxford University Press; 2nd prt. edition 1996)p. 685.

¹⁰ Norman Davies, *Europe: A history* (Oxford University Press; 2nd prt. edition 1996)p. 685.

¹¹ Hobbes T *The Leviathan* (Cambridge University Press 1904) 6.

¹² Norman Davies, *Europe: A history* (Oxford University Press; 2nd prt. edition 1996)p. 687.

¹³ Petr J *ENGLISH CIVIL WAR – Tracing the conflict.*(Univerzita Hradec Králové 2015) 18.

¹⁴ Petr J *ENGLISH CIVIL WAR – Tracing the conflict.*(Univerzita Hradec Králové 2015) 18.

¹⁵ Hart-Davis A *History The Definitive Visual Guide* (Penguin Company 2007) 264.

¹⁶ Hart-Davis A *History The Definitive Visual Guide* (Penguin Company 2007) 264.

¹⁷ Hart-Davis A *History The Definitive Visual Guide* (Penguin Company 2007) 264.

¹⁸ Hart-Davis A *History The Definitive Visual Guide* (Penguin Company 2007) 264.

¹⁹ Petr J *ENGLISH CIVIL WAR – Tracing the conflict.*(Univerzita Hradec Králové 2015) 22.

²⁰ Hart-Davis A *History The Definitive Visual Guide* (Penguin Company 2007) 265.

²¹ Hart-Davis A *History The Definitive Visual Guide* (Penguin Company 2007) 265

²² Hart-Davis A *History The Definitive Visual Guide* (Penguin Company 2007) 265.

commenced in 1649 and ended in 1651.²³ Oliver Cromwell, known as the ‘Lord Protector,’ became Parliament’s military icon.²⁴ He defeated the soon to be ‘Charles 11,’ at Worcester in 1651, this resulted in the ending of the civil war.²⁵ The civil wars had a huge impact on the economy of London, and this added to the already intolerable chaos of the period.²⁶ Since the confidence of the people was not only essential but quiet vital to the economy, the issue of the Scottish prayer book caused many to lose confidence and flee.²⁷ When these people fled, so did their capital.²⁸ Charles 1 failed to borrow money from London financiers in 1639 because merchant traders demanded payment on already high debt, and sent their capital overseas instead.²⁹

To this end, Hobbes wrote during and after the civil wars and witnessed the chaos and bloodshed first-hand. He understood what social upheaval meant, as he had a first-hand account. As a direct result of the tempestuous political instability, Hobbes forecasted that Parliament would face off with King Charles 1; he resolves to flee to France.³⁰ Hobbes lived in France for 11 years, and during time wrote *Leviathan*.³¹

Social and political strife had an impact on his life and political thought. During this period, the vast majority was poor, and a minority only enjoyed a good living standard.³² The population during this period increased, and this hurt living standards.³³ The so-called Poor Laws³⁴ took effect in 1601 during Elizabeth 1’s rule, the purpose of which was to provide aid to help the vast majority who were the poorest of their society.³⁵ In 1612, Hobbes was 24, during this year two anti-Trinitarians met their executed by being burned at the stake for heresy.³⁶ Little did he know that he would be accused of heresy in 1651. In 1681, the last martyrdom of a Catholic individual in the British Isles was of Oliver Plunkett.³⁷ The last

²³ Petr J ENGLISH CIVIL WAR – Tracing the conflict.(Univerzita Hradec Králové 2015) 22.

²⁴ Hart-Davis A *History The Definitive Visual Guide* (Penguin Company 2007) 265.

²⁵ Hart-Davis A *History The Definitive Visual Guide* (Penguin Company 2007) 265.

²⁶ Coates B *The Impact of the English Civil War on the Economy of London, 1642-1650* (University of Leicester 1997) 25.

²⁷ Coates B *The Impact of the English Civil War on the Economy of London, 1642-1650* (University of Leicester 1997) 25.

²⁸ Coates B *The Impact of the English Civil War on the Economy of London, 1642-1650* (University of Leicester 1997) 25.

²⁹ Coates B *The Impact of the English Civil War on the Economy of London, 1642-1650* (University of Leicester 1997) 25.

³⁰ BBC History Thomas Hobbes (1588-1679)http://www.bbc.co.uk/history/historic_figures/hobbes_thomas.shtml#:~:targetText=In%201610%2C%20Cave%20and%20Hobbes,visiting%20Germany%2C%20France%20and%20Italy.&targetText=In%201640%2C%20with%20England%20on,in%20exile%20for%2011%20years. (Date of use 31 October 2019)

³¹ See Fn 29.

³² History Extra Stuart Britain: what was life like for ordinary people? <https://www.historyextra.com/period/stuart/stuart-britain-what-was-life-like-for-ordinary-people/> (Date of use 30 August 2019).

³³ History Extra Stuart Britain: what was life like for ordinary people? <https://www.historyextra.com/period/stuart/stuart-britain-what-was-life-like-for-ordinary-people/> (Date of use 30 August 2019).

³⁴ Encyclopaedia Britannica “Poor Law” <https://www.britannica.com/event/Poor-Law> (Date of use 30 August 2019).

³⁵ History Extra Stuart Britain: what was life like for ordinary people? <https://www.historyextra.com/period/stuart/stuart-britain-what-was-life-like-for-ordinary-people/> (Date of use 30 August 2019).

³⁶ Reviews in History *Persecution and Toleration in Protestant England 1558-1689* <https://reviews.history.ac.uk/review/192> (date of use 16 October 2019).

³⁷ Reviews in History *Persecution and Toleration in Protestant England 1558-1689* <https://reviews.history.ac.uk/review/192> (date of use 16 October 2019).

individual hanged for blasphemy was a Scottish student.³⁸ The point here is that, if one excuses the pun, toleration came to England at a late date in 1689, with the promulgation of the Toleration Act of 1689, the purpose of which was to promote religious tolerance.³⁹

Slavery was rife during the entire 17th century. The abolishment of slavery happened in 1833.⁴⁰ Charles 11 was aggrieved at having lost 120 000 to the lucrative slave trade by investing in a company known as ‘The Company of Royal Adventurers of England Trading to Africa.’⁴¹ The primary objective of a poor person of this time was simply to find a meal for each day.⁴² During the civil wars period, many soldiers whose salary was already in arrears resorted to looting from people. This, in turn, caused malnutrition and starvation in many cases.⁴³ Inequality between genders was regarded as natural.⁴⁴ Women were expected to show respect to their fathers, brothers, husbands, and sons, and to obey them.⁴⁵ Most of the working population tended to work for a ‘master’,⁴⁶ with some historians estimating this to be two-fifths of the labor force. There was good reason for this: under a ‘master,’ a person could reasonably expect to be provided with room and board and wages as well. One of the reasons workers in that predicament willingly opted into this is because of free boarding and lodging with a salary been offered.⁴⁷ The main modes of transport are horse; carriage and coaches.⁴⁸ In 1635, Charles 1, introduced ‘Royal Mail,’ this was the concept of the public paying the kings messengers for delivery of their post.⁴⁹ A typical day would have included each individual making a transportation decision.⁵⁰ In 1660, a special design of coach saw its debut; the traveller’s compartment, in the shape of a ‘U,’ has a protective roof; the coach, which seats four, has a door on each side.⁵¹ The driver sits above the front wheels of the coach.⁵² In 1663,

³⁸ Reviews in History *Persecution and Toleration in Protestant England 1558-1689* <https://reviews.history.ac.uk/review/192> (date of use 16 October 2019).

³⁹ Reviews in History *Persecution and Toleration in Protestant England 1558-1689* <https://reviews.history.ac.uk/review/192> (date of use 16 October 2019).

⁴⁰ Encyclopaedia Britannica “Poor Law” <https://www.britannica.com/event/Poor-Law> (Date of use 30 August 2019).

⁴¹ Everett S *The History of Slavery* (Chartwell Books Inc 1991) 34.

⁴² Encyclopaedia Britannica “Poor Law” <https://www.britannica.com/event/Poor-Law> (Date of use 30 August 2019).

⁴³ Encyclopaedia Britannica “Poor Law” <https://www.britannica.com/event/Poor-Law> (Date of use 30 August 2019).

⁴⁴ History Extra Stuart Britain: what was life like for ordinary people?

<https://www.historyextra.com/period/stuart/stuart-britain-what-was-life-like-for-ordinary-people/> (Date of use 30 August 2019).

⁴⁵ History Extra Stuart Britain: what was life like for ordinary people?

<https://www.historyextra.com/period/stuart/stuart-britain-what-was-life-like-for-ordinary-people/> (Date of use 30 August 2019).

⁴⁶ History Extra Stuart Britain: what was life like for ordinary people?

<https://www.historyextra.com/period/stuart/stuart-britain-what-was-life-like-for-ordinary-people/> (Date of use 30 August 2019).

⁴⁷ History Extra Stuart Britain: what was life like for ordinary people?

<https://www.historyextra.com/period/stuart/stuart-britain-what-was-life-like-for-ordinary-people/> (Date of use 30 August 2019).

⁴⁸ Lambert T History of transport and travel “A brief History of Transportation

<http://www.historyworld.net/wrldhis/PlainTextHistories.asp?ParagraphID=kwq> (Date of use 30 August 2019).

⁵⁰ History of transport and travel. <http://www.historyworld.net/wrldhis/PlainTextHistories.asp?ParagraphID=kwq> (Date of use 30 August 2019)

⁵¹ History of transport and travel. <http://www.historyworld.net/wrldhis/PlainTextHistories.asp?ParagraphID=kwq> (Date of use 30 August 2019)

⁵² History of transport and travel. <http://www.historyworld.net/wrldhis/PlainTextHistories.asp?ParagraphID=kwq> (Date of use 30 August 2019).

special roads were open. The public had to pay for using such roads. In this sense, they were 'toll roads,' of sorts.⁵³ In 1665, the Great Plague arrived in London, claiming 7000 lives per week.⁵⁴ Hobbes was 77. The 'Class struggle,' could be seen during this time as rich families were in a position to leave the area, middle classes simply stayed to themselves while the poor were marginalized to the plague and left in their homes to die.⁵⁵ Charles II fled to Oxford.⁵⁶ It reached a point where people were precluded from leaving London unless they could furnish a certificate of good health.⁵⁷ Naturally, the rich and the middle class could afford to pay for such a service and even when they were in bad health or afflicted by the plague they easily obtained forgeries.⁵⁸ This practice further marginalized the poor.

At age 78, he witnessed the devastating Great Fire of London that commenced on 2 September 1666.⁵⁹ London had a population of 500 000 in the 17th century.⁶⁰ I argue that the disenfranchisement of the poor during this period allowed for ideal conditions for a fire to spread. This is so as most of this 500 000 people were poor and were crammed like sardines into already decaying wooden structures in very narrow streets, this resulted in the upper stories of such structures to overhang and thereby be very close to another wooden structure, this served as a catalyst for a spreading inferno.⁶¹

In sixteen- forty (1640) a pamphlet entitled 'A Short Tract on First Principles' was published by him.⁶² The circles that Hobbes was a part of, as a matter of course, discussed all matters of their society and addressed topics including the King, members of parliament and other stakeholders such as large landowners. One of these individuals was William Cavendish who served as a member of parliament in 1614 and 1621.⁶³ Hobbes, therefore, was privy to many of his friend's thoughts. During this time, Hobbes had access to the vast wealth of books contained in the Cavendish Family Library and travelled to Europe where he made the acquaintance of the astronomer Galileo Galilei and the philosopher Rene Descartes.⁶⁴ He served as secretary to Francis Bacon, the philosopher and drew inspiration from Galileo Galilei the physicist.⁶⁵

In 1649 Charles I was charged with being a "tyrant, traitor and murderer; and a public and implacable enemy to the commonwealth of England."⁶⁶ On 30 January 1649 he was

⁵³ History of transport and travel. <http://www.historyworld.net/wrldhis/PlainTextHistories.asp?ParagraphID=kwq> (Date of use 30 August 2019).

⁵⁴ Coenraads R *Natural Disasters And How We Cope* (Millennium House Pty Ltd 2006) 431.

⁵⁵ Coenraads R *Natural Disasters And How We Cope* (Millennium House Pty Ltd 2006) 431.

⁵⁶ Coenraads R *Natural Disasters And How We Cope* (Millennium House Pty Ltd 2006) 431.

⁵⁷ Coenraads R *Natural Disasters And How We Cope* (Millennium House Pty Ltd 2006) 430.

⁵⁸ Coenraads R *Natural Disasters And How We Cope* (Millennium House Pty Ltd 2006) 430.

⁵⁹ Robins J *The World's Greatest Disasters* (Hamlyn Publishing Group Limited 1990) 146.

⁶⁰ Robins J *The World's Greatest Disasters* (Hamlyn Publishing Group Limited 1990) 146.

⁶¹ Robins J *The World's Greatest Disasters* (Hamlyn Publishing Group Limited 1990) 146.

⁶² Anthony J Thomas *Hobbes's Leviathan: A study in interpretation* (University of Montana 1962) p4.

⁶³ Sarasohn L.T "Thomas Hobbes and the Duke of Newcastle: A Study in the Mutuality of Patronage before the Establishment of the Royal Society" *Isis*, 90(4), 715-737 JSTOR website: <http://www.jstor.org/stable/237657> (Date of use 30 August 2019).

⁶⁴ Thomas Hobbes (1588-1679) http://www.bbc.co.uk/history/historic_figures/hobbes_thomas.shtml (date of use 30 August 2019)

⁶⁵ Magill FN (Ed) *Masterpieces of World Philosophy* (HarperCollins Publishers 1990) 232.

⁶⁶ Trueman CN "The Trial and Execution of Charles 1" [historylearningsite.co.uk](http://www.historylearningsite.co.uk). The History Learning Site <https://www.historylearningsite.co.uk/stuart-england/the-trial-and-execution-of-charles-i/> (Date of use 26 July 2019)

executed⁶⁷ A quandary of sorts presents itself right here. It was common-cause throughout this period that kings were appointed by God; had a divine right to lead and perhaps of more importance could not be deposed by humankind as the king was god's representative.⁶⁸ The mere act of firstly the trial and subsequently the execution debunked the idea that kings were divinely appointed, and contributed even more to the chaos. The vacillation of Charles 1 was resounding defeat for him and parliament, as the army formed the dictatorship that essentially tried and executed Charles 1.⁶⁹

Charles 11 was the king of England, Scotland, and Ireland until his death on 2 February 1685. This was the period in and around the English Civil Wars, which began in 1642. This was a major conflict mainly revolving around good governance or lack thereof in England. John Wilmot sarcastically stated of the king "We have a pretty witty king, whose word no man relies on, he never said a foolish thing, and never did a wise one."⁷⁰ The battle, which saw Charles 11's defeat of Worcester, took place in 1652.

111. Reception of leviathan

There is a widely accepted misconception that Leviathan was seen as an attempt to insult, was not well received, and was labeled as distasteful and received with contempt and slight regard, this, however, is not true.⁷¹ His intellectual adversaries created the propaganda that Hobbes's work was not well received.⁷² Research over the past fifty years substantiates this view.⁷³ These are the facts: Leviathan did indeed receive a great deal of criticism,⁷⁴ this, however, was not the thorny issue, the issue in dispute regarding Leviathan was that it was well-read and used by people from different walks of life.⁷⁵ The key idea is to develop an appreciation for how Leviathan took its rightful place in mainstream politics and religious debate, to do so effectively one needs to look deeper than the conventional view that Leviathan was immediately rejected upon publication.⁷⁶ As at this time, Hobbes was held in high regard in England for his translation of Thucydides and his poetry drafted in Latin.⁷⁷ His mathematical and optical publications done him credit.⁷⁸ As such Royalists, scientists and the general reading public expected outstanding works from Hobbes as an 'intellectual elder statesman.'⁷⁹ In May 1651, in exchange for eight shillings and sixpence, the reader received an unconventional folio volume with a weird title.⁸⁰ It was not apparent straight away, what the

⁶⁷ Trueman CN "The Trial and Execution of Charles 1" [historylearningsite.co.uk](http://www.historylearningsite.co.uk). The History Learning Site <https://www.historylearningsite.co.uk/stuart-england/the-trial-and-execution-of-charles-i/> (Date of use 26 July 2019)

⁶⁸ Hart-Davis *A History The Definitive Visual Guide* (Penguin Company 2007) 265.

⁶⁹ Carpenter C *The Guinness Book Of Kings, Rulers & Statesmen* (Guinness Superlatives Limited 1978) p257-258.

⁷⁰ Hearne T *Remarks and Collections of Thomas Hearne Volume 1*, (Clarendon Press for the Oxford Historical Society 1706) p308.

⁷¹ Parkin J "The Reception of Hobbes's Leviathan" (Cambridge University Press 2007) 441-459

⁷² Parkin J "The Reception of Hobbes's Leviathan" (Cambridge University Press 2007) 441-459.

⁷³ Parkin J "The Reception of Hobbes's Leviathan" (Cambridge University Press 2007) 441-459.

⁷⁴ Parkin J "The Reception of Hobbes's Leviathan" (Cambridge University Press 2007) 441-459.

⁷⁵ Parkin J "The Reception of Hobbes's Leviathan" (Cambridge University Press 2007) 441-459.

⁷⁶ Parkin J "The Reception of Hobbes's Leviathan" (Cambridge University Press 2007) 441-459.

⁷⁷ Parkin J "The Reception of Hobbes's Leviathan" (Cambridge University Press 2007) 441-459.

⁷⁸ Parkin J "The Reception of Hobbes's Leviathan" (Cambridge University Press 2007) 441-459.

⁷⁹ Parkin J "The Reception of Hobbes's Leviathan" (Cambridge University Press 2007) 441-459.

⁸⁰ Parkin J "The Reception of Hobbes's Leviathan" (Cambridge University Press 2007) 441-459.

Biblical sea monster signified.⁸¹ In a letter from Brian Duppa to Sir Justinian Isham an English scholar and royalist, Duppa stated ‘there is another production in the press, that Affrick hath not seen a greater monster, and that is Mr Hobbes his Leviathan; a title that I wondered at first.’⁸² In 1653, a Jesuit, Guy Holland labeled the title and book itself as ‘prodigious’.⁸³ Dubbed the Monster of Malsbury and accused by some in the English parliament of causing the plague, Hobbes persevered and took things in his stride.⁸⁴ His ability to take an imaginary pre-political state of nature as the basis of the ideal state is extraordinary. His skill set included assessing humankind left to their own devices without a government (state of nature) and the motivations for entering into a social contract and thereafter selecting a specific type of government.

It would have been most natural for Hobbes to scrutinize the very governments that existed in his midst that is England, Scotland, and Ireland. He regarded England, Scotland, and Ireland and observed that when a community works as a unit, and is subjected to the same information (the only information they need to consider alternatively put to them), and have a common goal, they could generate a contract, enter into it with each other, thereby handing over power to a sovereign.⁸⁵ Hobbes was essentially looking at large socioeconomic entities such as sovereigns or governments. What does humankind expect from this government?

The long title of Leviathan is ‘Leviathan or The Matter, Forme and Power of a Commonwealth Ecclesiastical and Civil.’ The book was published in sixteen fifty- one (1651). The original publication had cover art done by Abraham Bosse with insight from Hobbes. The book contains four parts: “Of Man,”⁸⁶ “Of Commonwealth,”⁸⁷ “Of a Christian Commonwealth,”⁸⁸ and “Of the Kingdom of Darkness.”⁸⁹ Hobbes used the name of a mythological sea monster in entitling his work.⁹⁰ Leviathan features in several verses in the Hebrew Bible such as chapter 40:15-18: “Look at Behemoth, which I made along with you and which feeds on grass like an ox. What strength it has in its loins, what power in the muscles of its belly! Its tail sways like a cedar; the sinews of its thighs are close-knit. Its bones are tubes of bronze .”⁹¹ Job 41:1-3 provides: “Can you pull in Leviathan with a fishhook or tie down its tongue with a rope? Can you put a cord through its nose or pierce its jaw with a hook?”⁹²

⁸¹ Parkin J “The Reception of Hobbes’s Leviathan” (Cambridge University Press 2007) 441-459.

⁸² Parkin J “The Reception of Hobbes’s Leviathan” (Cambridge University Press 2007) 441-459

⁸³ Parkin J *The Reception of Hobbes’s Leviathan* (Cambridge University Press 2007) 441-459

⁸⁴ University of Oxford Thomas Hobbes: The Monster of Malsbury <http://podcasts.ox.ac.uk/22-thomas-hobbes-monster-malsbury> (date of use 31 October 2019).

⁸⁵ Sir Macfarlane A “Thomas Hobbes (1588-1679)” 2018 Issue 124 Philosophy Now Issue 124.

⁸⁶ Hobbes T *Leviathan* (1999 The University of Oregon) p1 to p146.

⁸⁷ Hobbes T *Leviathan* (1999 The University of Oregon) p 146 to 330.

⁸⁸ Hobbes T *Leviathan* (1999 The University of Oregon) p 330 to 538.

⁸⁹ Hobbes T *Leviathan* (1999 The University of Oregon) p 548 to 647.

⁹⁰ Sir Macfarlane A “Thomas Hobbes (1588-1679)” 2018 Issue 124 Philosophy Now.

⁹¹ New International Version (NIV) Holy Bible 2011 Biblical(hereinafter ‘NIV’).

⁹² NIV Job40:1-3.

1V. The book cover.



Book cover source⁹³

The book cover consists of twelve different pictures. The biggest picture is tantamount to a huge organization in the form of a sovereign, who proves this by three items: A crown, a sword in his right hand, and a sceptre in his left. This monarch is colossal and rises over the kingdom looking over it. Hills, buildings, and castles illustrate the kingdom underneath the colossus. At the bottom, the picture on the right depicts an Ecclesiastic order, with seemingly knights engaged in a ritual. Temporal power is the secular mass of humankind in the bottom right picture. The remaining pictures show authority and order. The pictures indicate that humankind in a state of nature will ultimately enter into a social contract in which power is ceded to the sovereign. The picture ultimately portrays the commonwealth, who are humankind in a colossal form made out of each citizen. It is noteworthy that the sovereign is the head of the contracting parties. Though not taking about this actual picture, Hobbes nonetheless describes it as follows: "For by art is created that great Leviathan called a commonwealth or state (in Latin, *CIVITAS*)."⁹⁴ The gigantic figure is compiled out of the bodies of all the citizens who have entered into the contract. The sovereign is supposed to represent this mass of humankind to which he stands bigger, representing power and looks over the citizens who have contracted. The book cover art is 'visual vocabulary,'⁹⁵ or the front-apiece.

V. Philosophy as a science

The oxford dictionary defines science as "a systematically organized body of knowledge on any subject."⁹⁶ Hobbes believes that human judgment is fallible and requires a scientific approach. Because humankind is motivated by self-preservation, this state of affairs is anything but scientific and only has disastrous consequences. Furthermore, because

⁹³ Hobbes T *The Leviathan* (Cambridge University Press 1904).

⁹⁴ Hobbes T *Leviathan* (1999 The University of Oregon) p2.

⁹⁵ Champion J "Decoding the Leviathan: Doing the History of Ideas through Images." 2010 *Ashgate Press*. 255-275.

⁹⁶ Oxford South African Concise Dictionary (Oxford University Press 2006) p 1057.

humankind has fiercely expounded and different opinions, disputes of a violent nature emerge. Hobbes puts it this way: “and last of all, men, vehemently in love with their own new opinions, (though never so absurd,) and obstinately bent to maintain them, gave those their opinions also that revered name of conscience, as if they would have it seem unlawful, to change or speak against them; and so pretend to know they are true, when they know at most, but that they think so.”⁹⁷ This leads Hobbes to conclude that a scientific approach is key to having a reasonable view of the future and how to overcome the fallible nature of the mind. This is why he says, “science is the knowledge of Consequences.”⁹⁸ The implication for Hobbes is that an organized body of knowledge offers a reliable approach to the future, and avoids the many pitfalls of human adjudication. In 1608, Hobbes held the position of tutor to the Earl of Devonshire’s son.⁹⁹ Perhaps of more importance, Hobbes gave maths tuition to King Charles 11 in 1646.¹⁰⁰ Thomas Hobbes was a maths tutor to the future English king, Charles II- the then Prince of Wales, in Paris in 1646. This exposure set him on a clear road of extensive reading, writing, and subsequent publishing. I submit that had Karl Marx’s Communist Manifesto and Das capital been available at this time, Hobbes would have read it. There is a good possibility that he would have opted for a communist form of government as the solution to his state of nature. I submit that Hobbes was a well-read individual, and would have read the works of Karl Marx had it been available in his time. I substantiate this with circumstantial evidence. Firstly, its common cause that Hobbes was not content with the government as it then was in the form of a king and kingdom with three different classes. Secondly a reputable 17th-century historian John Aubrey, on the topic of reading and Hobbes, stated Hobbes “was wont to say that if he had read as much as other men, he should have known no more than other men.”¹⁰¹ He went on further to say that based on Thomas Hobbes's age at that time, he read a lot.¹⁰² This is a reasonable conclusion for John Aubrey to have made.

He averred that “Science is the knowledge of consequences, and dependence of one fact upon another: by which, out of that we can presently do, we know how to do something else when we will, or the like, another time.”¹⁰³ Science is much sought after and its absence causes humankind to accept misplaced and incorrect ‘advice,’ and ‘authority,’ of others.¹⁰⁴ Of the philosophy of moral he held the view that the “true doctrine of the Laws of Nature, is the true Moral Philosophy.”¹⁰⁵ He added that moral philosophy is simply the science of what

⁹⁷ Hobbes T *The Leviathan* (Cambridge University Press 1904) 39 and 40.

⁹⁸ Hobbes T *The Leviathan* (Cambridge University Press 1904) 25.

⁹⁹ Thomas Hobbes, 1588-1679 <http://www.d.umn.edu/cla/faculty/jhamlin/4111/Hobbes/Thomas%20Hobbes.htm> (date of use 28 August 2019)

¹⁰⁰ Thomas Hobbes, 1588-1679 <http://www.d.umn.edu/cla/faculty/jhamlin/4111/Hobbes/Thomas%20Hobbes.htm> (date of use 28 August 2019)

¹⁰¹ Kelley, D., & Sacks, D. (Eds.) *The Historical Imagination in Early Modern Britain: History, Rhetoric, and Fiction, 1500–1800* (Woodrow Wilson Center Press, Cambridge University Press 1997) 244.

¹⁰² Kelley, D., & Sacks, D. (Eds.) *The Historical Imagination in Early Modern Britain: History, Rhetoric, and Fiction, 1500–1800* (Woodrow Wilson Center Press, Cambridge University Press 1997) 244.

¹⁰³ Hobbes T *The Leviathan* (Cambridge University Press 1904) pgs 25 and 26.

¹⁰⁴ Hobbes T *The Leviathan* (Cambridge University Press 1904) 66.

¹⁰⁵ Hobbes T *The Leviathan* (Cambridge University Press 1904) 109.

comprises ‘good and evil.’¹⁰⁶ He wanted to make the concept of law and society into a science, which he called ‘the science of these laws is true moral philosophy.’¹⁰⁷ He famously said of science: “For as for Science, or certain rules of their actions, they are so far from it, that they know not what it is. Geometry they have thought Conjuring: But for other Sciences, they who have not been taught the beginnings and some progressed in them, that they may see how they be acquired and generated, are in this point like children, that having no thought of generation, are made believe by the women, that their brothers and sisters are not born, but found in the garden. But yet they that have no Science, are in better, and nobler condition with their natural prudence; than men, that by misreasoning, or by trusting them that reason wrong, fall upon false and absurd generall rules. For ignorance of causes, and of rules, does not set men so far out of their way, as relying on false rules, and taking for causes of what they aspire to, those that are not so, but rather causes of the contrary.”¹⁰⁸ He envisaged that “reason is the pace, increase of Science, the way and the Benefit of man-kind, the end.”¹⁰⁹

V1. The State of nature

Before addressing the concept of a state of nature, Hobbes deals with the desire of humankind. Humankind is in a ‘perpetual and restless desire,’ of power that stops only in death.¹¹⁰ The desire for power is the main motivation for humankind.¹¹¹ The state of nature is a hypothetical pre-political state of being, alternatively a natural order, and depicts the reality that existed before governments or societies formed.¹¹² It is a pre-political state of being. To study this pre-political state of being, Hobbes encourages us to think away the concept of a state or government, as we know it. The state of nature is a phenomenon used in social contract theories to reflect the essence of what the living conditions and social interactions of humankind was like before the formation of civil society.¹¹³ The concept of civil society dates back to Aristotle’s phrase “koinōniapolitiké,” meaning “community,” who live by the same standards, norms, and values.¹¹⁴ Proponents of state of nature theory argue that there must have been a starting point for humankind before governments were established.¹¹⁵ Hobbes submits that the primary law of nature, which he refers to as ‘*jus natural*,’¹¹⁶ is for each individual to use his or her ability to preserve his or her own life; that is self-preservation of the individual to survive.¹¹⁷ However, because of no civil society or government, there is a

¹⁰⁶ Hobbes T *The Leviathan* (Cambridge University Press 1904) 109

¹⁰⁷ Hobbes T *The Leviathan* (Cambridge University Press 1904) 109.

¹⁰⁸ Hobbes T *The Leviathan* (Cambridge University Press 1904) 26.

¹⁰⁹ Hobbes T *The Leviathan* (Cambridge University Press 1904) 26.

¹¹⁰ Hobbes T *The Leviathan* (Cambridge University Press 1904) 63.

¹¹¹ Hobbes T *The Leviathan* (Cambridge University Press 1904) 63.

¹¹² Hobbes T *The Leviathan* (Cambridge University Press 1904) 83.

¹¹³ Mbah A,A *et al* “The Transformation of Man from State of Nature to Civil Society: A Philosophical Investigation” (IJAHSS 2016) 21-29.

¹¹⁴ Mbah A,A *et al* “The Transformation of Man from State of Nature to Civil Society: A Philosophical Investigation” (IJAHSS 2016) 21-29.

¹¹⁵ Mbah A,A *et al* “The Transformation of Man from State of Nature to Civil Society: A Philosophical Investigation” (IJAHSS 2016) 21-29.

¹¹⁶ Hobbes T *The Leviathan* (Cambridge University Press 1904) 86.

¹¹⁷ Hobbes T *The Leviathan* (Cambridge University Press 1904) 54.

junkyard dog mentality, which places humankind in a constant state of war.¹¹⁸ A perpetual state of fear and mistrust ignites the instinct of survival and this causes humankind to have a low quality of life and a short lifespan.¹¹⁹ Hobbes deals with the concept of fear extensively, he submits that fear permeates all aspects of human life.¹²⁰ He states that the very worst aspects of the state of nature are ‘continual fear,’ and the real risk of a violent death; which makes life ‘solitary, poor, nasty, brutish, and short.’¹²¹

The single most important characteristic of the state of nature is ‘war of everyone against everyone’; ‘a *bellum omnium contra omnes*.¹²²’ Hobbes most famous phrase is perhaps: “Whatsoever, therefore, is consequent to a time of war, where every man is enemy to every man; the same is consequent to the time, wherein men live without other security, than what their strength and their invention shall furnish them with. 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 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.”¹²³

Without law and order, economic activity, schooling, and social life, the vicious circle of everyone against everyone intensifies to the detriment of humankind.¹²⁴ The instinct of self-preservation and survival of the individual is intense, this never-ending cycle of violence and selfish competition arises from the individual’s realization that he/she has a natural right to anything available to the exclusion of other individuals.¹²⁵ In this state of nature, the fear of death and violence is palpable.¹²⁶ The following qualities are present in humankind in the state of nature: Self-conceited, big-headed, egotistical, prone to extreme violence, domineering, self-engrossed, lack of political stability and social cohesion, continuous war, short life span, poverty-stricken and in lack, merciless, power-hungry and isolated.¹²⁷ In brief, Hobbes articulates that the “natural condition of humankind”¹²⁸ is what we would have found if there was no law and order, civil society and government His key point is that without anything at all to restrain the ghastly human nature humankind would destroy itself.¹²⁹ Each individual in an unwavering desire for power and conquest seek to usurp the power of other individuals.¹³⁰

¹¹⁸ Hobbes T *The Leviathan* (Cambridge University Press 1904) 89.

¹¹⁹ Hobbes T *The Leviathan* (Cambridge University Press 1904) 84.

¹²⁰ Hobbes T *The Leviathan* (Cambridge University Press 1904) 84.

¹²¹ Hobbes T *The Leviathan* (Cambridge University Press 1904) 84.

¹²² New World Encyclopaedia Thomas Hobbes https://www.newworldencyclopedia.org/entry/Thomas_Hobbes (date of use 14 October 2019).

¹²³ Hobbes T *The Leviathan* (Cambridge University Press 1904) 89.

¹²⁴ Hobbes T *The Leviathan* (Cambridge University Press 1904) 89.

¹²⁵ Hobbes T *The Leviathan* (Cambridge University Press 1904) 86-90.

¹²⁶ Mbah A,A *et al* “The Transformation of Man from State of Nature to Civil Society: A Philosophical Investigation” (IJAHSS 2016) 21-29.

¹²⁷ Hobbes T *The Leviathan* (Cambridge University Press 1904) 89.

¹²⁸ Hobbes T *The Leviathan* (Cambridge University Press 1904) 89, 90, 91.

¹²⁹ Hobbes T *The Leviathan* (Cambridge University Press 1904) 89,90.

¹³⁰ Hobbes T *The Leviathan* (Cambridge University Press 1904) 83.

No state of pleasure exist, but rather a state of dire grief.¹³¹ Each individual has a high regard for himself/herself, a strong will of self-preservation and without a common power, will constantly seek to destroy each other.¹³² Hence, there are three primary reasons for conflict: ‘Competition, diffidence, and glory.’¹³³ Competition causes humankind to engage in war for what can be acquired, diffidence causes humankind to engage in war for safety and security, and glory causes humankind to engage in war for reputation.¹³⁴ Hobbes challenges us to another thought process; he avers that on first glance to the untrained eye, this state of affairs may seem strange.¹³⁵ He therefore the 17th century reader to accept that when he/she travels, he/she does so armed and travels in a group rather than alone; when retiring for the night the individual locks his/her door; and even in this person’s very own home, he/she locks their cupboards.¹³⁶ This is so despite the concept of law and order and the police force.¹³⁷ He then blatantly challenges humankind to a conclusion, namely by the actions of being armed, locking ones doors and even locking ones cupboards in a locked house, humankind is essentially lambasting human conduct in much the same way as Hobbes does with his words.¹³⁸ Hobbes accepts that in recorded history there has never being a period where humankind found themselves in a state of everyone against everyone in all out warfare; yet he emphasizes that even in the civil society of his day kings and nations have been in constant conflict.¹³⁹ He makes a point that nations, as neighbours had their armies and weapons pointed at each other in a warlike ‘posture.’ Of mistrust.¹⁴⁰ A textbook example of this state of war readiness is the Cuban Missile Crisis.¹⁴¹ This was the closest the world has come to a point of nuclear warfare because of mistrust¹⁴² The crisis started in October 1962 when the United States found out the USSR was secretly shipping ballistic missiles to Cuba.¹⁴³ President Kennedy warned that the United States will “regard any missile launched from Cuba against any nation in the Western Hemisphere as an attack by the Soviet Union on the United States, requiring a full retaliatory response against the Soviet Union.”¹⁴⁴ Premier Khrushchev resolved to uninstall and ship these missiles back to the USSR and the United States undertook not to invade Cuba and to remove missiles from Turkey.¹⁴⁵

¹³¹ Hobbes T *The Leviathan* (Cambridge University Press 1904) 83.

¹³² Hobbes T *The Leviathan* (Cambridge University Press 1904) 83.

¹³³ Hobbes T *The Leviathan* (Cambridge University Press 1904) 83.

¹³⁴ Hobbes T *The Leviathan* (Cambridge University Press 1904) 83.

¹³⁵ Hobbes T *The Leviathan* (Cambridge University Press 1904) 83.

¹³⁶ Hobbes T *The Leviathan* (Cambridge University Press 1904) 83.

¹³⁷ Hobbes T *The Leviathan* (Cambridge University Press 1904) 83.

¹³⁸ Hobbes T *The Leviathan* (Cambridge University Press 1904) 83.

¹³⁹ Hobbes T *The Leviathan* (Cambridge University Press 1904) 85.

¹⁴⁰ Hobbes T *The Leviathan* (Cambridge University Press 1904) 85

¹⁴¹ Norris R, S “The Cuban Missile Crisis: A Nuclear Order of Battle October/November 1962” A Presentation at the Woodrow Wilson Center 2012 1.

¹⁴² Norris R, S “The Cuban Missile Crisis: A Nuclear Order of Battle October/November 1962” A Presentation at the Woodrow Wilson Center 2012 1.

¹⁴³ Norris R, S “The Cuban Missile Crisis: A Nuclear Order of Battle October/November 1962” A Presentation at the Woodrow Wilson Center 2012 1.

¹⁴⁴ Norris R, S “The Cuban Missile Crisis: A Nuclear Order of Battle October/November 1962” A Presentation at the Woodrow Wilson Center 2012 1.

¹⁴⁵ Norris R, S “The Cuban Missile Crisis: A Nuclear Order of Battle October/November 1962” A Presentation at the Woodrow Wilson Center 2012 1.

To avoid this horrific vicious circle of constant violence, unproductive competition and all out war, humankind relies on their 'reason,' to establish a society by way of the social contract that will include more freedom and wealth that humankind was accustomed to in the state of nature.¹⁴⁶ It is noteworthy that there is no separation of powers in Hobbes's doctrine. That is no separate legislature, judiciary, and executive. The sovereign controls all organs of state.¹⁴⁷ Hobbes's outlook on humankind is stamped with originality and brilliance. Moreover, it can be applied to contemporary politics. To illustrate:

This constant state of fear presents itself even in constitutional democracies that espouse capitalism. The lesson is that where the government's ability to maintain law and order is significantly reduced by one or more events; our primary thought is to protect ourselves and strive for survival. The concept of fear and mistrust also become apparent where law and order capability is diminished.

For instance, In South Africa, a survey conducted by the Centre for the Study of Violence and Reconciliation (CSVR) concluded that South Africans are not safe in their own homes, and emphasized that this points "to a country that is undergoing severe trauma".¹⁴⁸ It added that the crime problem in South Africa is way beyond a crisis state, and the result is that South Africans are living in fear in their own homes.¹⁴⁹ To appreciate the Hobbesian state of nature, one simply has to realize that in the latter example, South Africa does have civil society, a government and law, and order, yet elements of fear among a great number of its populace exist! A key question is; Are these individuals afflicted by fear afraid of wild animals such as lions and wolves? The simple answer is no! They are afraid of fellow human beings.

A scientific study proves that humankind received from its predecessors a deadly underlying potential for violent behaviour.¹⁵⁰ A group of scientists in conjunction with the University of Granada have demonstrated that lethal interpersonal violence where human beings kill each other is commonplace in mammals, and in particular human beings.¹⁵¹ This study is the first in-depth study of arbitrary violence in the mammal world, assessing data on more than a thousand different species.¹⁵² The main idea of this study was to appreciate the origins of human violent behaviour.¹⁵³ It shows that the human species have the capacity to murder

¹⁴⁶ Hobbes T *The Leviathan* (Cambridge University Press 1904) 86.

¹⁴⁷ Mbah A,A *et al* "The Transformation of Man from State of Nature to Civil Society: A Philosophical Investigation" (IJAHSS 2016) 21-29.

¹⁴⁸ IOL "South Africans no longer safe in their homes - CSVR survey" <https://www.iol.co.za/news/south-africa/western-cape/south-africans-no-longer-safe-in-their-homes-csvr-survey-34263183> (Date of use 10 October 2019)

¹⁴⁹ IOL "South Africans no longer safe in their homes - CSVR survey" <https://www.iol.co.za/news/south-africa/western-cape/south-africans-no-longer-safe-in-their-homes-csvr-survey-34263183> (Date of use 10 October 2019)

¹⁵⁰ Gómez M, J *et al* "The phylogenetic roots of human lethal violence" (Macmillan Publishers Limited, part of Springer Nature 2016) 1-10.

¹⁵¹ Gómez M, J *et al* "The phylogenetic roots of human lethal violence" (Macmillan Publishers Limited, part of Springer Nature 2016) 1-10.

¹⁵² Gómez M, J *et al* "The phylogenetic roots of human lethal violence" (Macmillan Publishers Limited, part of Springer Nature 2016) 1-10.

¹⁵³ Gómez M, J *et al* "The phylogenetic roots of human lethal violence" (Macmillan Publishers Limited, part of Springer Nature 2016) 1-10.

each other.¹⁵⁴ This deadly trait of violence has been inherited over a period through evolution.¹⁵⁵ The study finds that violence in humankind has a “phylogenetic component.”¹⁵⁶ In this study, scientists examined numerous examples of ‘lethal violence,’ within each species, which includes cannibalism, infanticide, or aggression.¹⁵⁷ The study examined lethal violence of the same species against the same species, and not predators killing prey.¹⁵⁸ The study found that the trait of aggression in all mammals, which include human beings, is genetic and has a relatively high degree of heritability.¹⁵⁹ In this regard, lethal violence is classified as an ‘adaptive strategy,’ which favours the aggressor’s ‘reproductive success,’ in terms of sexual partners, status in society, and resources.¹⁶⁰ At the beginning of the human species, human beings were six times more lethally violent than mammals, just as violent as primates were.¹⁶¹ The development of civil society and in particular law and order has caused this figure to be reduced.¹⁶² A textbook example of how our deadly human traits emerge when law and order infrastructure is reduced is Hurricane Katrina. Hurricane Katrina, hit the United States in 2005. There were at least 1200 casualties.¹⁶³ Behaviour of the populace was shaped by whether people believed their fellow citizens was a greater threat than the natural disaster.¹⁶⁴ With this natural disaster well under way, there were cases of looting, rioting and hijacking.¹⁶⁵ Looting was based on perception of property rights.¹⁶⁶ Looters create their own property rights by stealing, selling and using property.¹⁶⁷ The basic survival instinct allowed for those who lacked property to alter property rights to their favour.¹⁶⁸ Natural disasters have the potential to

¹⁵⁴ Gómez M, J *et al* “The phylogenetic roots of human lethal violence” (Macmillan Publishers Limited, part of Springer Nature 2016) 1-10.

¹⁵⁵ Gómez M, J *et al* “The phylogenetic roots of human lethal violence” (Macmillan Publishers Limited, part of Springer Nature 2016) 1-10.

¹⁵⁶ Gómez M, J *et al* “The phylogenetic roots of human lethal violence” (Macmillan Publishers Limited, part of Springer Nature 2016) 1-10.

¹⁵⁷ Gómez M, J *et al* “The phylogenetic roots of human lethal violence” (Macmillan Publishers Limited, part of Springer Nature 2016) 1-10.

¹⁵⁸ Gómez M, J *et al* “The phylogenetic roots of human lethal violence” (Macmillan Publishers Limited, part of Springer Nature 2016) 1-10.

¹⁵⁹ Gómez M, J *et al* “The phylogenetic roots of human lethal violence” (Macmillan Publishers Limited, part of Springer Nature 2016) 1-10.

¹⁶⁰ Gómez M, J *et al* “The phylogenetic roots of human lethal violence” (Macmillan Publishers Limited, part of Springer Nature 2016) 1-10.

¹⁶¹ Gómez M, J *et al* “The phylogenetic roots of human lethal violence” (Macmillan Publishers Limited, part of Springer Nature 2016) 1-10.

¹⁶² Gómez M, J *et al* “The phylogenetic roots of human lethal violence” (Macmillan Publishers Limited, part of Springer Nature 2016) 1-10.

¹⁶³ “Who We Are, Or Could Be, in Times of Crisis” <https://www.facinghistory.org/holocaust-and-human-behavior/chapter-12/who-we-are-or-could-be-times-crisis> (Date of use 29 October 2019)

¹⁶⁴ “Who We Are, Or Could Be, in Times of Crisis” <https://www.facinghistory.org/holocaust-and-human-behavior/chapter-12/who-we-are-or-could-be-times-crisis> (Date of use 29 October 2019)

¹⁶⁵ Jacob B *et al* “Disaster Mythology and Fact: Hurricane Katrina and Social Attachment” *Public Health Reports*, Sage Journals 123(5), 555–566.

¹⁶⁶ Faucon C,E “The Suspension Theory: Hurricane Katrina Looting, Property Rights, and Personhood” *Louisiana Law Review* 1304-1338.

¹⁶⁷ Faucon C,E “The Suspension Theory: Hurricane Katrina Looting, Property Rights, and Personhood” *Louisiana Law Review* 1304-1338.

¹⁶⁸ Faucon C,E “The Suspension Theory: Hurricane Katrina Looting, Property Rights, and Personhood” *Louisiana Law Review* 1304-1338.

increase fear and violence.¹⁶⁹ A key question is; Are these individuals afflicted by fear afraid of wild animals such as lions and wolves? The simple answer is no! They are afraid of fellow human beings.

V11. The laws of nature

The primary law of nature is that of self-preservation.¹⁷⁰ The first law of nature is to strive towards a peaceful coexistence and stable social cohesion.¹⁷¹ Self-preservation is rationally obtained by means of consensus of humankind in a social contract.¹⁷² The second law of nature is that humankind is willing to waive certain rights in pursuit of peace and stability.¹⁷³ Now I part ways with Hobbes.

I submit that a third law of nature is to avoid destructive behaviour in society such as a ‘class struggle.’ A fourth law of nature to waive property rights to the extent that a central party will manage property, establish property rights for the maximum benefit of the vast majority. A fifth law of nature is the common sense deduction that all resources are limited and human needs are unlimited. It is therefore necessary for a central party to manage resources to ensure the longevity of the human species. Humankind in this state of nature, apart from their malevolent qualities recognise that there are unlimited needs and very limited resources.¹⁷⁴ There would be no concept of scarcity if we had unlimited resources. However scarce resources create challenging questions such as what goods should be produced, for whom it should be produced and how these goods are to be produced and distributed.¹⁷⁵ The scarcity principal is also known as the ‘no-free-lunch principal, making decisions under conditions of scarcity must benefit the vast majority; this is to be the ideal trade-off.¹⁷⁶ The trade- off is between the competing interests of a wealthy minority and a poor majority.

V111. The Social contract

Hobbes postulates that all the citizens, who have become conscious of their adverse and detrimental nature of violence, fear and lack of peace will agree among themselves to enter into a contract with each other to hand over power to a custodian.¹⁷⁷ Hobbes's solution to this terrible state of affairs is that humankind will give up their freedom and rights to one sovereign or one person who will rule in absolute power and whose citizens will have no right to protest provided the sovereign maintain safety and security.¹⁷⁸ He advocated the concept of a powerful central authority or government.¹⁷⁹ The social contract concept is the outlook that

¹⁶⁹ Rezaeian M “The association between natural disasters and violence: A systematic review of the literature and a call for more epidemiological studies J Res Med Sci. 2013;18 (12):1103–1107.

¹⁷⁰ Hobbes T The Leviathan (Cambridge University Press 1904) 86

¹⁷¹ Hobbes T The Leviathan (Cambridge University Press 1904) 86,87

¹⁷² Hobbes T The Leviathan (Cambridge University Press 1904) 86, 87.

¹⁷³ Hobbes T The Leviathan (Cambridge University Press 1904) 86, 87.

¹⁷⁴ Smith et al *Economics A South Africa Perspective* (Juta & Co Lansdowne 2002) 6, 7.

¹⁷⁵ Samuelson Paul A I *Economics* (McGraw-Hill 1980) 17.

¹⁷⁶ Frank R and Bernanke B *Principles of economics*(Mcgraw-Hill Higher Education New York 2001) 4.

¹⁷⁷ Hobbes T The Leviathan (Cambridge University Press 1904) 86, 87.

¹⁷⁸ Hobbes T The Leviathan (Cambridge University Press 1904) 89.

¹⁷⁹ Hobbes T The Leviathan (Cambridge University Press 1904) 89.

humankind's 'moral or political obligations,' relies upon consensus among humankind to create the ideal society within which they will coexist.¹⁸⁰ The social contract delivers humankind from their previous destructive state of nature.¹⁸¹ The act of transferring power to a custodian is a voluntary act of each individual.¹⁸² The social contract stems from the perspective that political commitments hinge upon an agreement among humankind about the nature and type of civil society they envision living in.¹⁸³

TORPS rejects this version of events and instead postulates that humankind will agree among themselves to hand over power to a communist party which in turn will firstly guarantee everyone safety and security within reasonable standards, and further then formulate a communist constitution. Laws will be put into place to prevent a 'class struggle,' and to avoid the inevitable conflict that will arise from private ownership of property.

Hobbes refers to this as: "The mutual transferring of right is that Contract which men call contract."¹⁸⁴ Important to this paper, which submits that once the contract is entered into, a communist party emerges, and then, thereafter develops a Constitution and establishes the rights and obligations of citizens, is what Hobbes himself submits, he states that citizens will *transfer their power first*.¹⁸⁵ Thereafter, the custodian or communist party in this particular case will be trusted in the interim, and at some predetermined time deliver on its obligations. Hobbes phrases it this way: "Again, one of the Contractors, may deliver the thing contracted for on his part, and leave the other to perform his part at some determinate time after, and in the meantime be trusted; and then the Contract on his part, is called pact, or covenant."¹⁸⁶ The communist party, which is yet to formulate a working constitution and laws, is essentially "being trusted,"¹⁸⁷ and this forthcoming deliverance of the constitution and laws is referred to as "keeping of a promise."¹⁸⁸ Humankind will submit to the communist party as well as the communist constitution that follows lest they be left in the very same dire situation they were in in the state of nature.¹⁸⁹ Hobbes's social contract is defined exceptionally well in Leviathan. He posits that "a Common-wealth is said to be Instituted, when a Multitude of men do Agree, and Covenant, every one, with every one, that to whatsoever Man, or Assembly of Men, instituting a shall be given by the major part, the Right to Common- Present the Person of them all, (that is to say, to be their Representative ;) every one, as well he that Voted for it, as he that footed against it, shall Authorise all the Actions and Judgements, of that Man, or Assembly of men, in the same manner, as if they were his own, to the end, to live peaceably amongst themselves, and be protected against other men."¹⁹⁰ He went on further to state that

¹⁸⁰ Mbah A,A *et al* "The Transformation of Man from State of Nature to Civil Society: A Philosophical Investigation" (IJAHSS 2016) 21-29.

¹⁸¹ Hobbes T The Leviathan (Cambridge University Press 1904) 84, 85, 86, 87, 89.

¹⁸² Hobbes T The Leviathan (Cambridge University Press 1904) 89.

¹⁸³ Hobbes T The Leviathan (Cambridge University Press 1904) 84, 85, 86, 87, 88, 89.

¹⁸⁴ Hobbes T The Leviathan (Cambridge University Press 1904) 84.

¹⁸⁵ Hobbes T The Leviathan (Cambridge University Press 1904) 89.

¹⁸⁶ Hobbes T The Leviathan (Cambridge University Press 1904) 89.

¹⁸⁷ Hobbes T The Leviathan (Cambridge University Press 1904) 89.

¹⁸⁸ Hobbes T The Leviathan (Cambridge University Press 1904) 90.

¹⁸⁹ Hobbes T The Leviathan (Cambridge University Press 1904) 122.

¹⁹⁰ Hobbes T The Leviathan (Cambridge University Press 1904) 120.

“the Greatest of human Powers, is that which is compounded of the Powers of most men, united by consent, in one person.” I submit that humankind in a state of nature consent among themselves to hand over power to a communist party, which will formulate a constitution. Since the change that humankind undergoes is very revolutionary, a party built on the premise of Marxist-Leninist-Maoism is essential.

IX. The twelve Hobbesian rights of the sovereign

According to Hobbes, once humankind accepts the rule by a sovereign, they forego any rights that may initially have had to control the sovereign.¹⁹¹ This is especially so, as humankind has not entered into a social contract with the sovereign whatsoever, but rather entered into a social contract among themselves in which they consent to handing over power to the sovereign.¹⁹² A key argument that Hobbes puts forward is that it would be unacceptable and completely unjust for humankind to attempt a coup; this would make a mockery of the social contract that humankind has entered into among themselves.¹⁹³

Hobbes’s sovereign has twelve fundamental rights.¹⁹⁴

1. Because a successive covenant cannot override a prior one, the subjects cannot lawfully change the form of government.¹⁹⁵
2. Because the covenant forming the commonwealth results from subjects giving to the sovereign the right to act for them, the sovereign cannot possibly breach the covenant; and therefore the subjects can never argue to be freed from the covenant because of the actions of the sovereign.¹⁹⁶
3. The sovereign exists because the majority has consented to his rule; the minority have agreed to abide by this arrangement and must then assent to the sovereign's actions.¹⁹⁷
4. Every subject is the author of the acts of the sovereign: hence, the sovereign cannot injure any of his subjects and cannot be accused of injustice.¹⁹⁸
5. The sovereign cannot be sentenced to death by citizens.¹⁹⁹
6. The primary goal of the commonwealth is to promote peaceful coexistence; as such, the sovereign has the relevant authority to take active measures for maintaining this peaceful coexistence. To this end, the sovereign may ban certain publications that are contrary to the primary goal of the commonwealth.²⁰⁰

¹⁹¹ Hobbes T *The Leviathan* (Cambridge University Press 1904) 86.

¹⁹² Hobbes T *The Leviathan* (Cambridge University Press 1904) 86.

¹⁹³ Hobbes T *The Leviathan* (Cambridge University Press 1904) 86

¹⁹⁴ Hobbes T *The Leviathan* (Cambridge University Press 1904) 86.

¹⁹⁵ Hobbes T *The Leviathan* (Cambridge University Press 1904) 120.

¹⁹⁶ Hobbes T *The Leviathan* (Cambridge University Press 1904) 120.

¹⁹⁷ Hobbes T *The Leviathan* (Cambridge University Press 1904) 120.

¹⁹⁸ Hobbes T *The Leviathan* (Cambridge University Press 1904) 121.

¹⁹⁹ Hobbes T *The Leviathan* (Cambridge University Press 1904) 123.

²⁰⁰ Hobbes T *The Leviathan* (Cambridge University Press 1904) 123.

7. The sovereign has the right to introduce laws for civil society specifying rights and duties of humankind and in particular property.²⁰¹
8. The sovereign has the right to establish a judiciary.²⁰²
9. To act as the final arbiter for declaration of war and the signing of peace treaties on the express understanding that the ability of citizens to defend this society is manifest in the armed forces.²⁰³
10. The right and power to recruit and select ‘counselors, ministers, magistrates, and officers.’²⁰⁴
11. The right and power to reward good behavior and punish bad behavior²⁰⁵
12. To develop laws to regulate morality and therefore laws that regulate honorable conduct²⁰⁶

The aforementioned rights are included herein merely for a proper understanding of what Hobbes himself postulated. The forthcoming practical guidelines are to be seen as a substitute for these rights.

I submit that the People’s Republic of China is a textbook example of an ideal society. For the sake of a point of reference, alternatively brevity, this new society, which has emerged from a Hobbesian state of nature, shall be referred to as ‘The People’s Republic of Utopia.’

X. Philosophical justification for a Communist state

The reader of this paper may well ask: What is your philosophical justification for the type of government you nominate? Without vacillating, Hobbes sovereign can be a single person or a group of persons. It is therefore not a far stretch of his philosophy to suggest a communist party. Hobbes advocates that humankind can indeed waive their rights first, enter in a social contract and thereafter the custodian in this case the Communist party can fulfil its obligation, which is the deliverance of a constitution thereafter and not simultaneously.²⁰⁷ Hobbes postulates that they are in fact two ways in which a common wealth can be formed, firstly, it can be formed by a social contract where a sovereign uses no force, and secondly it can be obtained where a sovereign uses force to obtain a social contract.²⁰⁸ Hobbes’s objective was to set forth rational and scientific principles for an ideal society that would not be destroyed by itself from within. His reasoning is influenced by the English Civil War that he lived through, and the destruction and disintegration of government systems that took place. This is why he took the view that even an oppressive regime would still be much better than the chaos, lack of law and order, human suffering, miseries and horrible calamities that are associated with

²⁰¹ Hobbes T *The Leviathan* (Cambridge University Press 1904) 123.

²⁰² Hobbes T *The Leviathan* (Cambridge University Press 1904) 124.

²⁰³ Hobbes T *The Leviathan* (Cambridge University Press 1904) 125.

²⁰⁴ Hobbes T *The Leviathan* (Cambridge University Press 1904) 125.

²⁰⁵ Hobbes T *The Leviathan* (Cambridge University Press 1904) 125.

²⁰⁶ Hobbes T *The Leviathan* (Cambridge University Press 1904) 126.

²⁰⁷ Hobbes T *The Leviathan* (Cambridge University Press 1904) 89.

²⁰⁸ Hobbes T *The Leviathan* (Cambridge University Press 1904) 119-125.

civil war.²⁰⁹ The implication is that for his reading audience, he was essentially saying that it is far more logical and preferable to live under an absolute monarch than it is to face the ghastly alternative of the state of nature. Hobbes found that humankind is selfish and self-seeking in every way. They are only motivated only by a desire for power and the fear of others. To address both these problems he postulated an all-powerful sovereign to govern citizens.

XI. Guiding Principles of this newly formed society

Humankind in a Hobbesian state of nature recognizes that their nature is self-destructive and will never ensure the survival of the human species in the long term. They further recognize the principle of unlimited needs and limited resources and realize that if a central party does not properly manage resources, such resources will simply cease to exist. They resolve that entering into a social contract among themselves in which they agree to hand over power to a communist party is the first step to longevity of the human species. They accept that this party will at a predetermined future time deliver a constitution, which will outline the rights and obligations of all citizens. They accept that this party can never be legally overthrown and that any such attempt will simply be treasonous. The proletariat will eventually become fed-up with living in abject poverty and been exploited by the wealthy. They will direct their efforts to forming a society based on true equality. This will inevitably create the warlike state of nature. To avoid this horrific state of affairs, *bona fide* communist parties in the 21st century need to be established throughout the world, and attempt by the ballot box to amend the constitutions of their countries by a two-thirds majority. The rationale is to avoid government types, which favour only the wealthy have vast majorities as the poor and disenfranchised. Communist parties in such nations will find fertile ground.

The ideology of this Communist Party is Marxism–Leninism-Maoism.

1. There is a benevolent ‘specter,’ that haunts the world, this ‘specter,’ is communism, any alliance that attempt to exorcise this ‘specter,’ is to be seen as an unholy alliance.²¹⁰

Communist are encouraged to publish their opinions that are aligned with, and can be reconciled with this benevolent ‘specter.’²¹¹

2. From the beginning of recorded history, there has being a ‘class struggle,’ slave and master, upper class and lower class and master and servant.²¹²

3. The bourgeoisie is a destructive force in society.²¹³

4. There will be various stages of development, which the proletariat will undergo in its struggle with the bourgeoisie.

²⁰⁹ Hobbes T *The Leviathan* (Cambridge University Press 1904) 128.

²¹⁰ Marx K and Engels F *The Communist Manifesto* ED Beer S.H (Harvard University Appleton-Century-Crofts Inc) 8.

²¹¹ Marx K and Engels F *The Communist Manifesto* ED Beer S.H (Harvard University Appleton-Century-Crofts Inc) 8.

²¹² Marx K and Engels F *The Communist Manifesto* ED Beer S.H (Harvard University Appleton-Century-Crofts Inc) 9.

²¹³ Marx K and Engels F *The Communist Manifesto* ED Beer S.H (Harvard University Appleton-Century-Crofts Inc) 9, 10, 11, 12, 13, 14, 15, 16, 17, 18.

5. Socialism will replace capitalism at some time in the future, as it is an 'objective law independent of man's will.'²¹⁴
6. The nucleus leading this endeavour is the Communist Party, and the philosophy is Marxism-Leninism-Maoism.²¹⁵
7. Unwavering confidence in the masses and the Communist Party is essential.²¹⁶
8. Knowing who are friends and foes to this communist state is imperative.²¹⁷
9. Communism is a new social 'system of proletarian ideology,' and differs from all systems to be 'complete, progressive, revolutionary and rational system in human history.'²¹⁸
10. There are three issues, three revolutionary organisms: class struggle, the struggle for production and scientific experiment, which are necessary for building a great socialist nation.²¹⁹
11. Should a dispute arise between individuals themselves or between government and individuals, and the government simply cannot resolve this impasse with the various platforms of adjudication, the principal of the greatest good must be used to resolve the dispute. Put another way, the principal of the greatest good must carry weight as an ultimate guiding factor in completely resolving the dispute and regarding such dispute as at a complete end.
12. Perestroika is a benchmark measure of sorts in that it assesses what issues and problems remain from the past, what tasks, activities should be carried out in the present, and what problems are likely to occur going forward.²²⁰
13. Acknowledging that this ideal communist society will be part of a global economy, and will constantly evolve to keep abreast of change, the concept of 'perestroika,' is a guiding legal principle to this society.²²¹ The concept of the 'world public,' is acknowledged, the implication is that best practice will dictate that regular periodical post-mortem of all aspects of this society and its development will be conducted to introduce whatever social reforms are necessary for this society to thrive.²²² 'Perestroika,' is quite vital in that it focuses on the development of this communist society.²²³ The idea is to have a proactive approach to social,

²¹⁴ Chairman Mao Tse-Tung (Chairman Mao Zedong) *Quotations from Chairman Mao Tse-Tung* (Foreign Language Press 1966) 24.

²¹⁵ Chairman Mao Tse-Tung (Chairman Mao Zedong) *Quotations from Chairman Mao Tse-Tung* (Foreign Language Press 1966) 1.

²¹⁶ Chairman Mao Tse-Tung (Chairman Mao Zedong) *Quotations from Chairman Mao Tse-Tung* (Foreign Language Press 1966) 12.

²¹⁷ Chairman Mao Tse-Tung (Chairman Mao Zedong) *Quotations from Chairman Mao Tse-Tung* (Foreign Language Press 1966) 12.

²¹⁸ Chairman Mao Tse-Tung (Chairman Mao Zedong) *Quotations from Chairman Mao Tse-Tung* (Foreign Language Press 1966) 23.

²¹⁹ Chairman Mao Tse-Tung (Chairman Mao Zedong) *Quotations from Chairman Mao Tse-Tung* (Foreign Language Press 1966) 40.

²²⁰ Gorbachev M *Perestroika* (William Collins Sons & Co. Ltd 1987) 1.

²²¹ Gorbachev M *Perestroika* (William Collins Sons & Co. Ltd 1987) 1.

²²² Gorbachev M *Perestroika* (William Collins Sons & Co. Ltd 1987) 1.

²²³ Gorbachev M *Perestroika* (William Collins Sons & Co. Ltd 1987) 1.

economic and political instability and take measure to avert this.²²⁴ Perestroika is essentially a ‘revolution,’ from the party level. This is not to be confused with a coup; it is a predetermined ‘acceleration,’ of ‘socio-economic and cultural development’ of a communist society.²²⁵ The only requirement should be to constructively listen to as well as consider anything that will benefit socialism and take decisive action against anything foreign to socialism.²²⁶

15. Glasnost: glasnost manifest in having an open and transparent approach to public matters in all areas of public life. Lenin said: “more light! Let the party know everything!”²²⁷

16. The foundation of the economic system is the ‘socialist public ownership of the means of production.’²²⁸

17. Land located in cities is to be owned by the State. Land located in rural areas and suburban areas is owned by collectives except ‘for those portions that belong to the State as prescribed by law; house sites and plots of cropland and hilly land allotted for private use are also owned by collectives.’²²⁹

18. Throughout the world, the bourgeoisie has allowed for property to be in the hands of a minority while the majority die without ever having owned property. This heinous state of affairs is to be avoided.²³⁰

“The proletarians have nothing to lose but their chains. They have a world to win.”²³¹

XII. Conclusion

Rational, self-interested individuals focused on self-preservation in a Hobbesian state of nature, who are conscious of the economic principle and the destructive nature of a ‘class struggle,’ resolve to hand over power to a communist party.

In Hobbes day, Puritans and cavaliers could take issue with his theorems, yet both Cromwell and Charles 11 could learn from his doctrines.²³² Abraham Lincoln drew from his doctrine of social contract and coalition of government power to provide a justification for the use of military force in the fight against the south and the concept of slavery.²³³ The United States of America was founded based on many philosophies.²³⁴ All theories, including Hobbesian social

²²⁴ Gorbachev M *Perestroika* (William Collins Sons & Co. Ltd 1987) 1.

²²⁵ Gorbachev M *Perestroika* (William Collins Sons & Co. Ltd 1987) 49.

²²⁶ Gorbachev M *Perestroika* (William Collins Sons & Co. Ltd 1987) 49

²²⁷ Gorbachev M *Perestroika* (William Collins Sons & Co. Ltd 1987) 75.

²²⁸ Article 6 of the Constitution of the People’s Republic of China.

²²⁹ Article 10 of the Constitution of the People’s Republic of China.

²³⁰ Marx K and Engels F *The Communist Manifesto* ED Beer S.H (Harvard University Appleton-Century-Crofts Inc) 14.

²³¹ Marx K and Engels F *The Communist Manifesto* ED Beer S.H (Harvard University Appleton-Century-Crofts Inc) 46.

²³² Magill FN(Ed) *Masterpieces of World Philosophy* (HarperCollins Publishers 1990).

²³³ Magill FN(Ed) *Masterpieces of World Philosophy* (HarperCollins Publishers 1990).

²³⁴ Wilkerson J “Disappearing Together? American Federalism and Social Contract Theory” *Journal of Constitutional Law* 569-589.

contract theory will have supporters and dissenters, some will make the case that it is applicable to certain types of societies, and yet others will claim that it is not applicable at all.²³⁵ I tender that Hobbesian social contract doctrine is very applicable to communist societies, and provides yet another justification for a communist state, especially the notion that unity is the foundation of the communist state, and compliance to the communist state is the strength of the state. In moral philosophy the conclusions that I have drawn, as well as the modification of the state of nature is philosophically acceptable. The benefit of retrospect speaks volumes about the formation of a new society, especially its shortcomings. The second paragraph of the Declaration of Independence, states, “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.”²³⁶ The irony is the Declaration of Independence did not apply to Africa Americans and women. Thomas Jefferson kept slaves. Slavery was abolished in the United States of America in 1865. This was 89 years after the fact of the Declaration of Independence.

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²³⁶ Declaration of Independence https://www.constitution.org/us_doi.pdf (Date of se 31 October 2019).

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