

## Locke's Social Contract

### 1 Compare with Locke, §90

If a subject have a controversy with his sovereign, of debt, or of right of possession of lands or goods, or concerning any service required at his hands, or concerning any penalty, corporal, or pecuniary, grounded on a precedent law; he hath the same liberty to sue for his right, as if it were against a subject; and before such judges, as are appointed by the sovereign. For seeing the sovereign demandeth by force of a former law, and not by virtue of his power; he declareth thereby, that he requireth no more, than shall appear to be due by that law. The suit therefore is not contrary to the will of the sovereign; and consequently the subject hath the liberty to demand the hearing of his cause; and sentence, according to that law. But if he demand, or take any thing by pretence of his power; there lieth, in that case, no action of law: for all that is done by him in virtue of his power, is done by the authority of every subject, and consequently, he that brings an action against the sovereign, brings it against himself. (Hobbes, *Leviathan*, ch. 21, par. 19)

