

Thomas Hobbes: *The Leviathan*

Thomas was a cheeky little philosopher. He also was relatively straightforward, so I will give a quick overview, than address some specific areas of concern to us in more detail.

Overview

Humankind, like everything in the world, is matter in motion. We are driven by desires, which ultimately are just the results of motion. Felicity lies in the constant satisfying of these immediate desires, and not in some higher goal. While these desires range far and wide from the desire for food and sex to the desire to be valued as highly as humans value themselves. Good is nothing more than the object of desire, evil nothing but the object of aversion. Because people want to fulfill these desires not only now, but also in the future, they are driven to a constant drive for power in order to assure their own ability to fulfill there desires.

This brings us to the famous description of the state of nature. Humans are fundamentally equal, insofar as none are so strong that others cannot kill them and none are so wise that others do not think themselves as clever. This equality causes people to believe that they can acquire what they want, and to come into conflict over such things. Because there can be no security in what one has, fear of loss as well as desire for gain can motivate conflict, as can the desire for glory. In this place there may not always be conflict, but there is constant fear of conflict, and no industry, as the objects of such labor are constantly threatened. There is no justice, for there is no common power to uphold law. Yes, life is “solitary, poor, nasty, brutish, and short” (ch. 13, p. 100).¹

Ultimately the most important desire of each person is self-preservation. This yields a single natural right: everyone has the right to use all of their power as they see fit for the preservation of their life. This gives each and every person a right to everything, as anything may logically be seen as necessary for assuring self-preservation. Yet applying reason to this state yields certain natural laws which forbid things that are in fact destructive to life. The laws of nature thus command people to endeavor for peace in whatever way that is possible. Thus the fundamental (first) law of nature is to “*seek peace, and follow it*” (ch. 14, p. 104). All other laws of nature follow from this first. The second commands that in search of peace people should lay aside their right to everything insofar as other do as well. This is done through a covenant in which both parties agree to do some thing, although where no higher power is set over a covenant he who performs first cannot expect the other to fulfill their part of the deal, and thus the covenant is void. The one section of right that cannot be laid aside, however, is the right to defend oneself against assault, as there is no way to think that people receive some good from allowing themselves to be killed. Similarly, people cannot be expected to accuse themselves. There follow (ch. 15) seventeen more laws of nature similarly derived from these first two. Of particular interest is the third: one must keep there covenants, with the definition of justice being none other than the keeping of contracts. The rest are more specific things that are designed to maintain peace.

¹ I am using the 1962 Collier edition, edited by Michael Oakeshott. For the rare (and generally uninteresting) places where I give a direct quotation, I will cite the chapter number and the page number in my edition.

As stated before, there are no covenants without an overarching power, and so this covenant commanded by the second law of nature requires that a sovereign (either one man or an assembly of men, in Hobbes terms, although he does say that women also may occupy such posts) be set up to rule over all the commonwealth at once. This sovereign must be absolute, unchangeable, and unquestioned. It should also be unitary. Problems arise when the sovereign is divided, as these entities will fight, or when some power is withheld from the sovereign. Government can be monarchy, aristocracy, or democracy, and it is pointless to talk of corrupted forms of these. Hobbes prefers monarchy, for it is the most unitary and allows for the quickest action and least probability of dissent and conflict within the sovereign, but this does not mean that other forms, once constituted, should switch to monarchy. While in theory the sovereign has absolute power to do as it wishes, among the more interesting powers that are specifically given to the sovereign are the control over religion and education, as people must be taught to obey the state and must not be tempted to go against the commonwealth in the name of religion.

Some Key Points

Most of the points I will address have already been discussed in the above overview, but this will hopefully give something of a quick reference sheet for people.

Justice: Justice for Hobbes is nothing more than the fulfillment of contracts. In the commonwealth this translates into obeying the sovereign and thus the laws of the state. In the state of nature, there is no justice, for there is no overarching power to enforce contracts or law, and thus all contracts are void.

Virtue: I found no mention of virtue in Hobbes. It would seem to reduce to the seeking of peace through following the laws of nature and obeying the sovereign. Importantly, reason seems to be central in this, as the laws of nature are discovered by reason from the fundamental desire for self preservation. Importantly, virtue is not the goal of society or of humanity.

Human nature: This is where all of those strange, scientific-sounding chapters at the start about the senses, memory, thoughts, trains of thoughts, etc. come in. Fundamentally, humans are nothing more than matter in motion. We are impelled to follow our passions, which are natural. While reason is also natural, it is nothing more than “the scout and spy” of the passions. There is no higher good than the pursuit of passions, which are many and differ from person to person. While these include pride and such, the primary desire, as it is needed for all others, is the preservation of one's life.

The state of nature: The state of nature for Hobbes is a state of war of all against all. There is no rest, no industry, no peace. This is not because there is constant fighting, but rather because there is no assurance that fighting will not break out and so a constant state of readiness is required. The state of nature is so terrible that escaping it is the constant goal, and returning to it a constant threat.

Equality: Humans are fundamentally equal insofar as none is so strong that others cannot kill him either by subterfuge or by banding together. Similarly, while some might seem cleverer than others, all fundamentally trust their own wisdom and no one thinks that she would be better ruled by other reason than her own. In the state of nature this also means that everyone not only has equal right to everything (see rights below), but also that all believe themselves able to obtain whatsoever they might desire.

Freedom: Freedom for Hobbes is a strictly negative concept. It is always freedom *from* some impediment. This means that it is absurd to talk about the freedom of people in a state. A person is always free to do what he wants, though the sovereign may punish him for doing so.

The purpose of the state: The purpose of the state is primarily the preservation of life, but also the allowance of some degree of comfort and refinement, as industry and arts can only occur within the security of a commonwealth. Still, even a base commonwealth is better than the state of nature, and as there is no good beyond satisfaction of desires there is no goal of a state beyond assuring that people can survive to pursue these desires.

Rights: In the state of nature every human has a fundamental right to everything, because each has the right to preserve herself and anything might be seen as necessary for the achievement of this right.

The role of women: Hobbes seldom specifically mentions women, although it seems fairly clear that most all of what he says goes equally for men and women. There is some mention of the family, and in that we see that it is women who have natural control over children. Hobbes also states that where succession is not made explicit, it is to be assumed that a monarch would want first his sons or, if they were not there, his daughters to rule. As a whole, it seems that while women are perhaps held to be a weaker and perhaps less skilled sex, they are fundamentally equal in the state of nature and no real difference in the sexes is seen.

John Locke: *The Second Treatise*

I will again give a quick overview of this work, followed by some more depth on major points, and finally I will conclude by noting some similarities and differences between those lovable limies, Hobbes and Locke.

Overview

Locke begins (after a brief mention of the *First Treatise*) by discussing the state of nature, which is a state of perfect freedom and of equality. In this state there is a law of nature which states that because everyone is equal independent, people ought not to harm another's "life, health, liberty, or possessions;" This loses much of its moral sting, however, with the caveat that a person is so obliged "when his own preservation comes not in competition" (6, p. 9).² In this state of equality, all men (and presumably women) are to be the enforcers of this natural law, and it falls to them to punish those who commit transgressions. As people are poor judges in their own cases and wont to excess in punishing those who have hurt them, this translates into a state of chaos. The state of war, which is distinguished from the state of nature, arises when one person attempts to harm another or put him under their absolute control. It follows, as there can be no protection of ones self when under another's control, that such may be resisted with deadly force.

While natural liberty is to be under the rule of no other person, liberty in society is to submit to be under the legislative power that one has consented to in the establishment of the commonwealth, and to be ruled under this only by set and known laws. Any other form of arbitrary dominance is slavery, which is a continuation of the state of war.

A person is her own property, and her labor is also her own. Thus the product of her labor becomes her property as well. This is both natural and good, as the works of humankind make the world far more productive than it would otherwise be. Still, while a person has the right to all the products of her labor, and may trade these for other goods, she does not have the right to horde perishable good so that they rot. It is thus only with the institution of money, the value of which is set by mutual agreement and which is durable, that much can be acquired. In consenting to money, humanity consented to the unequal possession of the earth, for without it there could be no need for more land than would support a person.

The first society was conjugal society, and the first power was paternal power, but this is not the origin of larger society. For the power of a father is temporary, and the union of man and woman a contractual arrangement whose purpose is the raising of children. Rather, political society comes into being when individuals (or families) decide to give over their right to punish transgressors of the law of nature to some higher authority which will instead legislate rule for the protection of property (including life and liberty as well as goods) and to enforce this. This preservation of life and property is the sole purpose of the state, and any state that fails to do so is illegitimate and at war with its own subjects.

² For Locke I am using the Hackett 1980 edition, edited by C.B. Macpherson. All references will be in the form (paragraph, page) so that they should be easy for anyone to find, should any doubt my veracity.

Governments may be democracies, oligarchies, elective monarchies or hereditary monarchies, or some mix among these. The supreme power is legislative, as this alone sets the laws which must be followed by the executive. The legislative is, however, limited as it must rule for the good of society and not its own good, it must rule through standing laws with known judges, it cannot take property without consent (as this, broadly understood, is the purpose of government), and it cannot transfer its power to another body. To be under arbitrary power (as happens when the legislative and executive are combined and thus this person or body is made judge of its own case) is worse than the state of nature, for a tyrant commanding a multitude can more easily harm a person than a multitude of individuals acting alone.

While the legislative need meet only periodically, the executive and federative (controlling domestic and foreign affairs, respectively) are needed constantly and may be combined. Further, as the legislative may not be meeting, the executive needs wide prerogative to deal with circumstances that may arise which were not imagined in the laws, although it will ultimately be accountable to the legislative.

Governments are dissolved from within in two circumstances: when the legislative is altered and when either the legislative or executive acts contrary to the trust of the people (as by invading property of the subjects). Yet the dissolution of government is not the dissolution of society. A people remain and may constitute a new government, as they ultimately retain sovereignty. While this might seem to cause frequent rebellion, in fact people will very seldom take up the great risk of rebellion and, anyway, it is in fact the government that has in this case rebelled against its sovereign.

Some Key Points

Most of the points I will address have already been discussed in the above overview, but this will hopefully give something of a quick reference sheet for people.

Justice: Justice is not discussed so explicitly as in Hobbes. It seems to lie in the obeying of natural law and civil laws, which are in turn just insofar as they work for the protection of property (which for Locke includes life), as this is the goal of society.

Virtue: Virtue is similarly left out of Locke. His goal is not to create virtuous people. Insofar as it exists, it is simply following the natural and civil laws.

Human nature: Locke does not see people as naturally quarrelsome, but rather as naturally self-interested. It is out of this interest that conflict arises, and not out of pride or desire for power per se.

The state of nature: The state of nature is one in which everyone is equally free to do as they like. It includes property, as people have the right to all that the products of their labor. While they are bound not to harm others (and to respect their property) this is only true insofar as their own survival is not in competition. Further, because all have the right to punish transgressions as they perceive them,

conflict is likely to arise even if no one seeks to attack others. This leads to a state of war which is much like the Hobbesian state of nature.

Equality: Humans are equal because they are all equally free, none having legitimate power over the others.

Freedom: Freedom for Locke is to be only under the law of nature or by laws common to everyone in society that are set down by the legislative power chosen by that society in its social contract.

The purpose of the state: For Locke the purpose of the state is the preservation of the lives and property of its subjects.

Rights: People have the right to their own life, their labor, and the products thereof. It is for the preservation of these that society is set up and if these rights are attacked a government ceases to be legitimate, is dissolved and becomes instead a body at war with its former subjects.

Some Comparisons of Locke and Hobbes

Human nature: In Hobbes, people seem to have a wider range of motives than in Locke. In both people are primarily concerned with the preservation of themselves, and in both they are also acquisitive. But while Locke's list of desires seems to end here, Hobbes also allows for any number of other desires to motivate people, including pride (remember that glory, along with fear and gain, is a cause of conflict in Hobbes). Still, it might be debated whether Locke's self-interested individuals are that much better than those of Hobbes, or just couched in nicer terms and explored less thoroughly.

The state of nature: It seems fairly uncontroversial these days to say that there is little difference between the two states of nature. While Locke describes a nicer place, and says it is different than the state of war, it seems that conflict will often arise in Locke. Similarly, Hobbes allows that the state of war does not mean constant conflict, but rather the absence of assurance that conflict will not occur. For both the state of nature is so full of dangers that it should be avoided by entering into society.

The purpose of the state: Again, there are more similarities than differences here. For Hobbes it exists to preserve life, and to support commodious living. Locke adds more of the second into the first by making the protection of property critical. This is a very real difference, but both states are designed not to make men good but only to protect them from each other.

Sovereignty: For Hobbes, sovereignty must rest in some person or body of persons who govern. For Locke it always resides in the people as the founders of society.

Appropriate forms of government: The great difference between Hobbes and Locke arises not in their evaluation of the natural human condition or human nature, but in their prescription for this problem. Hobbes specifically states that power must be given to the sovereign without limitations, and that it ought not to be divided. This is because any division is likely to cause quarrelling and thus a return to the state of nature. Even a tyrant is not so bad as the war of all against all. For Locke, on the other hand, power ought to be divided because a single ruler with absolute power can become tyrannical as there is no other body to stand as judge against it. This single tyrannical government, because it wields such power, is even worse than the state of nature (which perhaps suggests that Locke really doesn't think the state of nature is as bad as Hobbes does, and perhaps that civil war is not really a return to it).

Limits on government: Locke places clear limits on government: it must not attack the property (including lives) of its people, and must rule under set laws. Hobbes places no such restrictions. While a sovereign may choose to govern with laws, it may stand aside from them and do whatever it chooses because it is sovereign. Interestingly, however, Hobbes is more explicit about a second limit of government: what it can ask of its subjects. It cannot expect that its subjects will obey it when it commands them to risk their lives (though it may punish them if they do not), let alone when it comes to kill or imprison them, as they have ultimately no higher aim than preservation of their own lives. Locke, on the other hand, cavalierly notes that while it "the serjeant, that could command a soldier to march up to the mouth of a cannon, or stand in a breach, where he is almost sure to perish," cannot "command that soldier to give him one penny of his money" (139, 74). As the person is the most important piece of property, this ability of the state to command (and expect) the risk of life and limb, but not the giving of other property seems a bit odd.

Rebellion: This is a more contentious issue. Locke is clear that when a government oversteps its bounds and rules arbitrarily it dissolves itself and can thus be legitimately opposed and replaced. Hobbes, on the other hand, seems to rule out the ability of the people to replace the sovereign no matter what the sovereign does. However, there are two reasons to doubt this. The first is that he does suggest that a sovereign ceases to be such when it acts contrary to the social contract by arbitrarily threatening the lives of its subjects. Further, because he notes that in fact most governments were founded on conquest and ultimately makes little difference between different foundings (government becomes legitimate when it is tacitly consented to by its subjects) it seems that if rebellion is illegitimate, a government constituted after a rebellion could be legitimate.

Questions on Locke and Hobbes:

You mentioned Thucydides, Kant, Hobbes on human nature. How do they relate to the ancients account of human nature? (Frank)

What is the state of nature in Hobbes and Locke? Did state of nature ever exist? What role does this concept play in modern philosophy? Is it useful when thinking about current society? (Krause)

Locke on freedom - how is he the classic liberal? (Krause)

Compare this [the Platonic] conception of justice with what Machiavelli or Hobbes has to say. (I picked Hobbes) For Hobbes, is there nothing on which all men agree? How should one think about patriotism? Isn't it unjust to favor one's own? (Mansfield)

Is Locke a modern? (Mansfield)

Some questions about Locke and property and Locke as a natural law theorist. (Mansfield)

He then gave me a choice b/w Hobbes and Locke and I took Locke. He asked, does LOCKE think people naturally strive for glory? How does liberty and equality connect with security problem for Locke? What difference does it make what your view of the state of nature is? What are the main features of Locke's state? (Mansfield)

Can modern liberal regimes cultivate nationalism? (Muirhead)

Define liberalism. (Muirhead)

What do Hobbes or L have to say about rule of the majority? Are they relevant to today's non-majoritarian institutions? (Muirhead)

What do any of the authors have to tell us about the nature of founding a city/ state? (I had expressed an interest in this). (Muirhead)

He asked a series of questions about the connections between international and domestic notions of sovereignty, which lead us to discuss the different conceptions of sovereignty in Hobbes and Rousseau. (Sandell)

We also talked a lot about the importance of unity, both for Plato and for Hobbes, Rousseau, and Marx, and the negative effects of partial associations. He then asked me why, if modern thought is characterized by a concern with unity, that we normally think of it as pluralistic. That led to a discussion of Mill, Hegel, and a little bit of Locke. (Sandell)

2) Hobbes says that anyone who can be unjust and get away with it in civil society is a fool. Isn't this inconsistent with his account of human nature? (Thompson)

3) Talk about Locke, Rousseau, Marx, and anyone else you want with respect to methodology:

- Should we read all their works? Why not read only their later works?
- Should we look for continuities in their works? (Thompson)