

The State of Nature

Thomas Hobbes (1588-1679)

1. Central Ideas examined

Hobbes was an early modern philosopher with wide ranging philosophical, scientific and literary interests. He wrote extensively on mathematics, physics, optics, religion and the methodology of science. He also translated a number of classical works by Homer and Thucydides. He was friends, correspondent or interlocutor with many of the great intellectuals of Europe and was acquainted with or worked for some of the leading figures in English politics of the day.

It is however his moral and political philosophy for which he is most well known, above all his monumental work *The Leviathan* (1652). The title alludes to the sea monster described in Job 41, but why he chose this word to describe his theory of the state, rights and human nature is a mystery. We will be focusing in the first hour and on two ideas in that work that have been of fundamental importance in how we **think of freedom, sovereignty, the state and rights**.

i. **The state of nature** (Hobbes' conception of a pre-political state)

ii. **The social contract** (How we emerge from the state of nature and establish the conditions necessary for living together successfully)

These two ideas are developed in response to a powerful question that has occupied political philosophy since its inception in Ancient Greece:

'How ought we to live together?'

The modern variant of this question that Hobbes initiates is:

'If the human social order is not pre-determined by God or nature, then how ought we live together?'

2. Hobbes early life history

- 1588 April 5, born in Malmesbury, Wiltshire, England. Premature birth was hastened by his mother's (unfounded) fear of invasion by the approaching Spanish Armada.
- His father was the vicar of Westport but fled to London after being involved in a brawl outside his own church, leaving Hobbes to be raised by a wealthy uncle.
- 1603 Enters Magdalen Hall, Oxford where he studies philosophy.
- 1608 Receives bachelor's degree and becomes tutor to the son of William Cavendish, earl of Devonshire.
- He worked as a tutor on off for this family for many years. He traveled and studies in Europe in the late 1630's, which is also when he began to write his political philosophy.
- After the Long Parliament (1640 – 1648) impeaches and executes Thomas Wentworth in 1641, Hobbes, a prominent royalist, decides to leave England since he thought his political ideas might not be in favour with a government that was increasingly shifting power from the King to parliament. He flees to Paris where he is welcomed once more into its intellectual circles.

- 1642 Publication of *De Cive* and *First Draught of 1646 the Optiques*. Begins *De Corpore*, the first work in a trilogy on body, man and citizen.
- 1642 English Civil commences. Ends in 1651.
- 1646 Tutor in mathematics to the future king, Charles II, also exiled in Paris. His experience of the exiled royalty and his reflections on the civil war raging in England led him to write *Leviathan*.
- **1651 Publication of *Leviathan***. Returns to England after first obtaining a guarantee of protection from the newly installed revolutionary government in England. His previous allies, the royalists, threatened to kill Hobbes after the publication of this work since its rejection of God as the basis of political authority angered them.
- 1679 December 4, dies at Hardwick Hall.

3. Hobbes' Political Philosophy: Overview

Hobbes' masterwork *Leviathan* comes after many years on the fringes of political life. While he may have been at the fringe of politics he was the centre of many of the defining debates in the philosophy of the era. He is widely recognised as the founder of English moral and political philosophy.

- i. **Methodologically:** Hobbes took himself to be engaged in **a science of politics**. Hobbes did not think he was creating a work of political theory that was developed as a result of reflection on his long experience of politics. This is what we might expect say from the political theorising of an ex-politician or a journalist.

Of course his theory draws on his knowledge of history and politics and his perception of the mistakes of the past.

- Hobbes draws on his experience and observations but his concern is to determine ***the rational principles by which a state should be established and governed if it is to be stable and effective***.
- ii. Hobbes considered his project to be a theory of **what is required of rational individuals to establish a political society**.
 - iii. He takes himself to have determined the form that a political community *ought to take* if it is to be established on a scientific, that is, a rational basis. It is the *necessary* form the state should have.
 - Hobbes surveys the course of human political history and discerns a succession of defective forms of political community that have led to any number of human miseries: wars, social collapse, famine and so on.
 - His idea of the state represents what he considers to be the rational path to a successful state.
 - Hobbes' idea of what constitutes a successful state is perhaps, not quite the same as our own, but it does share many common features with it.
 - iv. Hobbes' central criteria for a successful government: ***the preservation of peace and security***.
 - v. Hobbes' model of the state is **authoritarian**. It posits an all-powerful sovereign.

- vi. In order to make sense of why the political model described in the *Leviathan* is rigidly hierarchical and authoritarian we have to understand that this political system is grounded on what Hobbes takes to be the correct view of **human nature**.
 - Hobbes assumes a certain character of human beings: **fearful and above all interested in self-preservation**.

Once he describes humans as having this essential character in the **state of nature** there was, he argues, *only one rational way to free us from it* – **a social contract**. This is the topic of our next lecture.

4. Society: Harmony or Conflict?

- i. *Historical context*: The primary figure against whom Hobbes distinguishes his vision of both politics and human nature is Aristotle.
 - We are by nature, for **Aristotle**, **social animals**. Politics, community and complex forms of society and culture are natural extension of human nature.

Hobbes contests Aristotle's vision of a fundamentally social human nature and a human nature that aspires to the good.

- ii. Unlike herd animals, human beings are not by nature social creatures. Herd animals might be described as having an instinct to live communally and perhaps an instinctual way *in which that collective life is organised*. For them, presumably, the good life is a collectively lived life.

Even if we assume that humans are by nature social creatures (something Hobbes contests), there is nevertheless no **biologically or divinely programmed** way in which that sociality is expressed in human beings.

Herd animals such as bees, wildebeest and herring appear to have a social organisation that is given to them by nature whereas we it seems do not. We can assume that these naturally social creatures live together in communities that **tend toward harmony**.

- Hobbes argues that a tendency toward a **naturally ordained social harmony** is not something that can be found in human nature. Our societies have shown themselves — repeatedly — over the entire course of human history — **riven with strife and conflict**. That conflict threatens to undermine any order upon which our societies are based.
- Where nature seems to direct itself toward harmony and unity, **unconstrained human life** is directed toward **conflict and disorder**.

- iii. Hobbes argues that all forms of political organisation are and have been **ineffective in maintaining harmony, order and peace**. Hobbes takes the opportunity in *Leviathan* to conceive of the **correct principles** and system of governance by which order and peace can be preserved.

The general point that the failure of all previous forms of political organisation illustrates is: Humans can **live together successfully** and in peace but only by establishing **principles** and cogent **power structures that regulate our discourse and relations with others**.

5. The State of Nature or the Natural Condition.

The state of nature is a **pre-political** form of human existence. It is a state without **human derived** laws and rights, as we understand them. There are, however **natural laws and natural rights**.

Why does Hobbes appeal to a state of nature?

- To describe our human nature **unencumbered by the social niceties** developed in civilisation.
- To imagine the character of our relations with each other in a *pre-political* state.
- A central concern of Hobbes' theory of the 'state of nature' is to show **what we are like in the absence of a powerful and stable government**.
- If we could be made to see just how we are in the *absence of strong government* and prior to any complex forms of communal life then we might have some prospect for recognising just what the right government is for such imperfect creatures as human beings.
- The government that is good for our crookedly carved human nature is one that can establish and maintain peace and security by **constraining the human nature** that his state of nature describes.
- Without the type of authoritarian government that Hobbes proposes then the prospect of **returning to the state of nature was a very real possibility**. Indeed this is the state in which Hobbes thought he was living in during the English civil war (1642-1651). The conflict between loyalists and parliamentarians had caused society to degenerate and as a consequence produced extraordinary suffering and hardship.

6. Qualities of man in the state of nature

i. Foresight or Prudence:

Natural 'man' has a **rudimentary calculative rationality**. S/he understands the consequences of his or her actions and can anticipate and imagine a future different to how it is now.

ii. Equality of ability:

"Nature hath made men so equal in the faculties of body and mind as that, though there be found one man sometimes manifestly stronger in body or of quicker mind than another, yet when all is reckoned together the difference between man and man is not so considerable as that one man can thereupon claim to himself any benefit to which another may not pretend as well as he. For as to the strength of body, the weakest has strength enough to kill the strongest, either by secret machination or by confederacy with others that are in the same danger with himself." (Chap XIII, 1)

- Hobbes does not talk a great deal about **women** in the *Leviathan*, nevertheless it seems clear that though he refers primarily to men in the state of nature (and as per the conventions of his time uses male pronouns), women are the equal of men. The equality of ability that he refers to here is granted to women. They are granted (or at least not excluded from) the legal status of “personhood” (*Leviathan* Chap XVI). Their consent is required to form the commonwealth.

iii. *Self-interested*: s/he values her/himself over all others.

iv. *Unsociable*: “men have no pleasure, (but on the contrary a great deale of grieffe) in keeping company” (Chap XIII, 5)

7. State of nature is a state of conflict

In the state of nature there is no **morality, law, religion, convention or rights**. The only authority is natural law. The consequence of this is that in the state of nature:

“The desires, and other passions of man, are in themselves no sin. No more are the actions that proceed from those passions till they know a law that forbids them; which till laws be made they cannot know, nor can any law be made till they have agreed upon the person that shall make it.” (Chap XIII, 10).

In the state of nature **following our passions and desires is not immoral**, since there is no **morality, religion or convention** that would make doing so wrong. We cannot sin or be immoral if there is no law, commandments or convention that we are **contravening**.

Three reasons for conflict of the state of nature

- i. **Competition**: resources are scarce in the state of nature. There are no laws or authority to administer how they can be distributed or used. Each person tries to secure as many of these resources for their survival as they can. The **scarcity** of natural resources and the desire to secure as many of those resources as possible causes **conflict**.
 - Because of our relative equality and our tendency to unsociability **no individual can dominate** others and thereby rule over them.
- ii. **Diffidence**: we don't have confidence in our abilities to protect our resources and ourselves. I can't be sure that other people won't try to steal all the food I have accumulated. So even if I don't want to attack someone, I might have to because I can't be sure you won't steal my food. At the same time I am unsure both of my ability to protect myself and of my ability to dominate another. This leads to a **perpetual state of anxiety** about the future. (Chap. XIII, 3-5)
- iii. **Glory**: is the most difficult to make sense of in the state of nature. It is something that Rousseau will make a great deal of.
 - It is **the desire to be better than others** and to be recognised as such. In the state of nature it is a source of conflict because **I want others to value me** as much as I value myself. If we are not given this recognition then we may demand it by force (Chap XIII, 6-7).

- In society ‘**glory**’ is a potential source of conflict. It threatens to undermine the equality that is the bedrock of the social order Hobbes will express in his vision of government in the *Leviathan*.
- Pride and the belief that we are better than others lead us to **treat others as inferiors**. Not only is this simply mistaken, but more importantly— it is an ongoing **source of conflict** everywhere from share-houses to global politics. If one considers that by virtue of one’s birth, ethnicity, gender, sexual orientation and so on, that one is entitled to more of the earth’s scarce resources or to rights that would mark them as better than others — it will lead to conflict. Why? Because such claims and entitlements will be resisted and disputed by others.

8. The State of Nature as a State of War

The state of nature is a state of **conflict**. There is **no security**. Each individual is a potential threat to the resources that other individuals try to secure to survive and they are also of course a threat to their physical safety. These three endemic sources of conflict, **because they are unchecked** in the state of nature means the state of nature is a state of war.

Warre: “Hereby it is manifest that during the time men live *without a common power to keep them all in awe*, they are in that condition which is called warre; and such a warre as is of every man against every man.” (*Leviathan*, Chap XIII, 8)

“In such condition there is no place for industry, because the fruit thereof is uncertain: and consequently no culture of the earth; no navigation, nor use of the commodities that may be imported by sea; no commodious building; no instruments of moving and removing such things as require much force; no knowledge of the face of the earth; no account of time; no arts; no letters; no society; and which is worst of all, continual fear, and danger of violent death; **and the life of man, solitary, poor, nasty, brutish, and short.**” (Chap XIII, 9)

Once we imagine this pre-political form of life, in the way Hobbes does, in which there is no social organisation, and individuals are self-interested, then the question becomes:

What are the conditions by which the individuals in the state of nature could come to a collective agreement to form a social and political organization?

- In a context where there is no authority, no human law, morality or convention that can prescribe for us just how to treat each other, how might we come to an agreement to establish a government?

“Rights of Nature and The Social Contract”

Thomas Hobbes (1588-1679)

1. Why is Hobbes a Modern Philosopher?

Prior to Hobbes, *politics and forms of government were predominantly considered matters of established convention, history or divine dictate*. The political theorists of Hobbes’ era had assumed that the governments they had, the ones they could imagine or the improvements they wished to make to their existing governments, did not need to be **legitimated** by anything beyond appeal to **God or tradition**.

- Significant innovation — he recognises the need for human beings to create and devise their own social and political order.
- Hobbes considers us to be autonomous in a rudimentary sense — we are able to be **self-governing**.
- For all Hobbes authoritarian formulation of the state, his is a **modern** state because he thinks *no one has by nature* (male, white, heterosexual, intelligent) a given right to rule over others. Neither is that right established by convention (by being high-born or aristocratic). **The authority of the sovereign in the *Leviathan* is established by consent.**

2. Right of Nature

- i. Hobbes is not especially concerned to establish that there was a period in history that corresponds to the **state of nature**. The state of nature is a **logical reality**, that is, it is something that follows necessarily from his view of human nature.
- ii. The state of nature and our human nature is discovered by reason. The commonwealth expressed in the *Leviathan* is the **rational correction, prevention and containment of these natural states**.

What does he discover to be true of the state of nature?

In the first instance Hobbes lays down what he takes to be a kind of **prime directive** of the state of nature.

The right of nature

right is the “liberty to do” (Chap XIV, 3); Laws are duties or obligations, that is, they constrain or bind our action.

Self-preservation: “THE right of nature, ..., is the liberty each man hath to use his own power as he will himself for the preservation of his own nature; that is to say, of his own life; and consequently, of doing anything which, in his own judgement and reason, he shall conceive to be the aptest means thereunto.” (Chap XIV, 1)

- The desire for self-preservation propels human beings to break free of the state of nature and **establish social, legal, and moral codes**.

3. The Laws of nature

We are governed above all in the state of nature by the desire for self-preservation. ***There are no restrictions on this right.*** The pursuit of this right entitles us to enslave another or to kill another if that is the only way in which our right to self-preservation can be guaranteed.

- **Fear of death**, which is a necessary consequence of this right, is perhaps the single most powerful passion in Hobbes' thought. Our fear of it, and our wish to avoid it, is the basis by which and for which we enter into civil society.

It is the passion that ultimately drives us to **seek peace**. We may be unsociable by nature — yet our fear of death motivates us to find ways to avoid it.

The pursuit of this right leads us to establish what Hobbes calls laws of nature

“A law of nature, *lex naturalis*, is a precept, or general rule, found out by reason,”
(*Leviathan* Chap XIV, 3).

- **Natural laws are rules or theorems that we establish by virtue of our reason** to advance the right of nature. That is, our need for self-preservation leads us to determine principles that would allow us to further this aim — these are laws of nature. *These natural laws are not like those for example governing physical forces – such as gravity.* They are natural laws because they **are laws that pertain to the state of nature**, that is the pre-political state, not to nature as such.
- Natural laws are governed by this general principle:
“a man is forbidden to do that which is destructive of his life, or taketh away the means of preserving the same.” (Chap XIV, 3).

Laws of nature are governed by the right of nature — self-preservation.

i. **First Law of Nature:** The law that is most conducive to preserving ourselves.

“the first and fundamental law of nature, which is: to ***seek peace, and follow it.***” (Chap XIV, 4)

ii. From the first law of nature follows the **Second law of nature:**

“that a man be willing, when others are so too, as far forth as for peace and defence of himself he shall think it necessary, to lay down this right to all things; and be contented with so much liberty against other men as he would allow other men against himself.”
(Chap XIV, 5)

- The only way in which we can find peace and thereby act in accordance with the right of nature is by **relinquishing most of the liberties of the state of nature**.
- What we cannot give up (in any circumstances) is the right of nature (self-preservation). **This is inalienable.** A right of nature cannot be given up through some act of our will. What is needed now is a story of how the inhabitants of the state of nature make such an **agreement to give up the freedoms of the state of nature**.

Why when the asocial individuals of the state of nature don't trust anyone would they agree to give up most of the liberties of the state of nature? Under what conditions would they do this?

We have worked out that it is in our best interests to seek peace and follow it. How can we be sure that the freedoms of the state of nature that we give up in establishing a commonwealth will **guarantee our security**?

4. How to get out of the state of nature: The Social Contract

Hobbes has established what we are like in the state of nature, the state prior to society. But importantly, because what he describes is human nature, these essential features are **not erased** simply because we enter into society. While our nature might get covered over with social conventions, norms, morality, laws and so on — *it is always there*. **The state of nature is an ever present possibility** that we might return to if we don't get the right form of government that constrains our human nature and if we don't obey the covenants that bind us together.

- The role that **fear of returning to the state of nature** plays in *Leviathan* cannot be overestimated.

i. Performance of covenants: third law of nature

Hobbes has a fairly detailed examination of covenants which we don't need to explore. The important issue is that in the state of nature we have a notion of keeping covenants. He sums this up as his third law of nature

“that men perform their covenants made” (Chap XV, 1)

The very idea of a covenant entails the further idea of obligation. A covenant is an exchange between persons that creates an obligation. If I declare that I am going to scratch your back if you scratch mine, then I am obliged to do it.

- Keeping covenants is something that we can deduce from the right of nature (self-preservation), since we can judge that the only way to ensure our safety is if all agree to **relinquish** the state of nature right to all things (Chap XV, 3)

The laws of nature **by themselves** are not enough to get us out of the state of nature. While our human beings in the state nature are rational and are worried about their self-preservation, this is not in itself a ticket into the relative security of a political society.

- We need some way of making sure that we can **trust** others so that we can move from a state of war to one of peace. **We need some way of making sure that our commitments will be kept.**
- Our natural man knows that s/he needs laws and a way of making each person keep their commitments. S/he knows that is the best way to protect himself.

ii. What do we know of the state of nature?

- It has these ‘freedoms’: no morality; no property; every man has a right to do as s/he sees fit to preserve herself, which means s/he has a right to all things.
- Our rational man knows that this right is also the **weakness** of the state of nature, since this very right makes the state of nature insecure and riven with conflict.

A common complaint of Iraqis since the ‘liberation’ of Iraq by the US and its allies through its campaign to oust Saddam Hussein dubbed by the pentagon “Operation Iraqi Freedom” is that

while they may have a measure of individual freedom now they do not however have security. And what many ask is freedom without security? Hobbes's answer — the state of nature.

Below is a link to a radio documentary marking ten years since the fall of Ba'arthist regime of Saddam Hussein in Iraq. It is from ABC Radio National's history program "Rear Vision", where some of these issues are explored.

<http://www.abc.net.au/radionational/programs/rearvision/iraq-10-years-on21/4561556>

iii. Keeping Covenants.

Because of the first law of nature — "seek peace and follow it" — our natural man would give up the freedoms of the state of nature **but only if s/he could be sure that everyone else would do so also**. If this could not be guaranteed then his or her vulnerability would remain.

- Indeed I may be **even more vulnerable**: if the contract involves giving up my freedoms I need to be sure that the others I enter into the agreement with do the same.
- Think of **nuclear arms treaties**. One can presume that each nuclear power knows that it's in their interest and the interest of the rest of humanity to disarm their nuclear weapons. But how can each state be sure that their enemy hasn't kept just one hidden somewhere? If the US gave up all their warheads and then it turns out the soviets had kept a few in a back block in Kaliningrad then the US would suddenly be in a very bad position. A nuclear arms treaty could only lead to the complete relinquishing of all nuclear arms if each of the protagonists had *absolute confidence* in the body overseeing the decommissioning of all nuclear arms and it had the power to force each party to the treaty to keep their commitments. Hobbes' sovereign is such an authority, though the stakes, to be sure, are a bit lower than nuclear war.

iv. Hobbes' natural man knows that it is in her/his interest to keep covenants but s/he also know that **unless there is some higher power to which s/he can appeal to compel others to keep those covenants then they are quite literally meaningless**. As Hobbes says in another of his most well known passages:

"covenants, without the sword, are but words and of no strength to secure a man at all."
(Chap XVII, 2)

This natural man knows that covenants are necessary for security but without confidence in an **external power that can oversee, enforce and protect** those covenants natural man will not give up her state of nature freedoms.

iv. The Social Contract.

What is required therefore is that we agree to set up a power that will govern them.

"A COMMONWEALTH 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, shall be given by the major part the right to 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 voted against it, shall authorize all the actions and judgments 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." (Chap XVIII, 1)

- Whether or not such a foundational covenant is plausible or not is probably not Hobbes' real concern. He is interested in the reality of the governments that we find ourselves living under *in the present*, by accident of birth, by colonization, war and so on.
- **If we assent to those governments and *they protect us* then we owe allegiance to them.** Those governments maybe a single persons or assemblies of persons.
- **“The only way to erect such a common power, as may be able to defend them from the invasion of foreigners, and the injuries of one another, and thereby to secure them in such sort as that by their own industry and by the fruits of the earth they may nourish themselves and live contentedly, is to confer all their power and strength upon one man, or upon one assembly of men, that may reduce all their wills, by plurality of voices, unto one will”** (chap XVII, 13)

5. Obligation to the Sovereign

- We have already seen in the passage above that our reason leads the natural man to the conclusion that the only way to escape the frightfulness and horrors of the state of nature is to enter into an agreement with others.
- The social contract will create an **obligation** on us, if we can trust others to hold their part of the bargain. This contract can only work if those with whom I enter into the contract also see themselves as having entered into a contract with a sovereign whose will they explicitly or implicitly sworn to obey.
- In the social contract — the collective agreement that takes us out of the state nature into society — we transfer all our individual liberties into one man or an assembly or men.

Our obedience to the sovereign is almost absolute. The basis of that obedience is this covenant:

“This is more than consent, or concord; it is a real unity of them all in one and the same person, made by covenant of every man with every man, in such manner as if every man should say to every man: **I authorise and give up my right of governing myself to this man, or to this assembly of men, on this condition; that thou give up, thy right to him, and authorise all his actions in like manner. This done, the multitude so united in one person is called a COMMONWEALTH ... This is the generation of that great LEVIATHAN ... to which we owe, ..., our peace and defence.**” (chap XVII, 13)

- The only **caveat** that Hobbes puts on the covenant is: if the ruler can no longer protect us. *Remember the right of self-preservation is **inalienable**.* It is what we enter civil society to guarantee. It cannot be relinquished since it is a right of nature.

“The obligation of subjects to the sovereign is understood to last as long, and no longer, than the power lasteth by which he is able to protect them. **For the right men have by nature to protect themselves, when none else can protect them, can by no covenant be relinquished.**” (Chap XXI, 21).

However, he claims that we ought, until the very last give our allegiance to the sovereign that had been protecting us, given we had made a commitment to recognize their authority over us.

- The underlying idea of seeing our relation to the government and the sovereign in this way is to make us recognize the near absolute authority of the sovereign.
- *Recall:* The benefit of giving up one's individual freedoms and committing oneself to an absolute sovereign is **security**.

For those of us living in an existing state and not emerging from some mythic state of nature, Hobbes thinks that if we are rational then we ought to conceive ourselves as **having already entered into such an agreement**. *We ought to see our existing relation to each other and the sovereign as a contract* in the manner described in the Leviathan.

6. The Sovereign's Commitments to their Subjects

While we can't go into the detail of Hobbes state and his vision of how it is run, it is worth making a couple of short remarks. This state is not democratic or representative in any sense.

- This state nevertheless is encouraged to:
 1. protect its citizens from danger;
 2. provide for the unemployed, sick and so on
 3. establish property rights
 4. establish the conditions by which its subjects could flourish.
- The ruler is encouraged to help their citizens **but it is not necessary**, because once instituted the crown is no longer in some sense a party to the contract. We make the covenant for security XVIII, para 1, but para 3-4 once we have made the contract it cannot be undone
- Sovereign power cannot be forfeited; "there can happen no breach of covenant from the part of the sovereign" (XVIII para 4).
- This state nevertheless is encouraged to:
 5. protect its citizens from danger;
 6. provide for the unemployed, sick and so on
 7. establish property rights
 8. establish the conditions by which its subjects could flourish.

That the state was encouraged to do these things did not mean the subjects retained any rights to them. Rights to such things, other than to self-preservation, would undermine the authority of the sovereign and would in Hobbes' view lead us back to the chaos of the state of nature. In no sense were the citizens of a state participants in government. *We are ruled; we do not rule collectively.*