THOMAS HOBBES

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THE LIFE AND TIMES OF THOMAS HOBBES

Thomas Hobbes was born on April 5, 1588, near Malmesbury in Wiltshire, England. We are told that the news of the approaching Spanish Armada induced his mother into early labor. Hobbes would later joke that his mother brought forth that day “twins at once, both me and fear.”¹ Shortly after his birth, his father, the vicar of Charlton and Westport, was forced to leave town for brawling outside his own church, leaving his three children in the care of a wealthy uncle.

At the age of 14, Hobbes entered Oxford and completed his degree in five years. Upon his graduation, William Cavendish, the Earl of Devonshire, employed Hobbes to tutor his son William. This association with the Cavendish family, which was to last almost a lifetime, allowed Hobbes to continue his studies and to meet many leading thinkers of his day. In 1610, Hobbes and the younger William embarked on a three-year tour of France, Italy, and Germany. While on tour, Hobbes began to work on the first English translation of Thucydides’ History of the Peloponnesian War (1629) and began to study Euclidean geometry along with the new physics of Copernicus and Galileo.

The development of modern science, especially physics, was controversial. In 1632 Galileo published the Dialogue Concerning the Two Chief World Systems, a defense of the Copernican heliocentric theory of the solar system. The Roman church condemned the theories of Copernicus and Galileo for contradicting the scriptural account of the motion of the heavens and for undermining belief in divine providence.² The church argued that modern physics depicted the world as a mechanism governed by cause and effect that did not need a divine caretaker to oversee its operation. The Inquisition confiscated the existing copies of Galileo’s book, forced him to recant his position, and prohibited him from publishing again. Not deterred by the controversy, Hobbes visited Galileo in Florence and in Paris. Convinced that the methods of the new physics were the foundations of knowledge, Hobbes began his three-part Elementa Philosophiae, which would include a materialistic metaphysics, De Corpore (1655); a materialistic account of man, De Homine (1658); and a work on the rights and duties of citizens, De Cive (1642). In 1637 Hobbes returned to England, where a religious civil war was brewing.

In April 1640, after 11 years of absolute rule, Charles I recalled Parliament to raise taxes to underwrite the imposition of his religious reforms on Scotland. One month later, Charles I dissolved Parliament when it began to debate the abuses of his rule. In the midst of this rancor, Hobbes completed his first work of political philosophy, The Elements of Law, where he developed the core theme of his political science, the necessity of an absolute and undivided sovereignty for securing peace. When civil war erupted in 1642 between the king and Parliament, Hobbes escaped to Paris, where he published De Cive. Historical circumstances and “experience, known to all men and denied by none,” he wrote, confirmed his thinking that civil war begins when there are

²Consider Psalms 93 and 104 and Ecclesiastes 1:5.
As justice dependeth on antecedent covenant; so does GRATITUDE depend on antecedent grace; that is to say, antecedent free gift; and is the fourth law of nature, which may be conceived in this form: that a man which receiveth benefit from another of mere grace endeavor that he which giveth it have no reasonable cause to repent him of his good will. For no man giveth but with intention of good to himself, because gift is voluntary; and of all voluntary acts, the object is to every man his own good; of which if men see they shall be frustrated, there will be no beginning of benevolence or trust, nor consequently of mutual help, nor of reconciliation of one man to another; and therefore they are to remain still in the condition of war, which is contrary to the first and fundamental law of nature which commandeth men to seek peace. The breach of this law is called ingratitude, and hath the same relation to grace that injustice hath to obligation by covenant.

A fifth law of nature is COMPLAISANCE; that is to say, that every man strive to accommodate himself to the rest. For the understanding whereof we may consider that there is in men’s aptness to society a diversity of nature, rising from their diversity of affections, not unlike to that we see in stones brought together for building of an edifice. For as that stone which by the asperity and irregularity of figure takes more room from others than itself fills, and for hardness cannot be easily made plain, and thereby hindereth the building, is by the builders cast away as unprofitable and troublesome: so also, a man that by asperity of nature will strive to retain those things which to himself are superfluous, and to others necessary, and for the stubbornness of his passions cannot be corrected, is to be left or cast out of society as cumbersome thereunto. For seeing every man, not only by right, but also by necessity of nature, is supposed to endeavor all he can to obtain that which is necessary for his conservation, he that shall oppose himself against it for things superfluous is guilty of the war that thereupon is to follow, and therefore doth that which is contrary to the fundamental law of nature, which commandeth to seek peace. The observers of this law may be called SOCIABLE (the Latins call them commodi); the contrary, stubborn, insociable, forward, intractable.

A sixth law of nature is this: that upon caution of the future time, a man ought to pardon the offences past of them that, repenting, desire it. For PARDON is nothing but granting of peace; which though granted to them that persevere in their hostility, be not peace, but fear; yet not granted to them that give caution of the future time is sign of an aversion to peace, and therefore contrary to the law of nature.

A seventh is: that in revenges (that is, retribution of evil for evil), men look not at the greatness of the evil past, but the greatness of the good to follow. Whereby we are forbidden to inflict punishment with any other design than for correction of the offender, or direction of others. For this law is consequent to the next before it, that commandeth pardon upon security of the future time. Besides, revenge without respect to the example and profit to come is a triumph, or glorying in the hurt of another, tending to no end (for the end is always somewhat to come); and glorying to no end is vain-glory, and contrary to reason; and to hurt without reason tendeth to the introduction of war, which is against the law of nature, and is commonly styled by the name of cruelty.

And because all signs of hatred, or contempt, provoke to fight; insomuch as most men choose rather to hazard their life than not to be revenged, we may in the eighth place, for a law of nature, set down this precept: that no man, by deed, word, countenance, or gesture, declare hatred or contempt of another. The breach of which law is commonly called contumely.

The question who is the better man has no place in the condition of mere nature, where (as has been shown before) all men are equal. The inequality that now is has been introduced by the laws civil. I know that Aristotle in the first book of his Politics, for a foundation of his doctrine, maketh men by nature, some more worthy to command, meaning the wiser sort,
another, they are as far from peace as ever. This other, to whose sentence they submit, is called an ARBITRATOR. And therefore it is of the law of nature that they that are at controversy submit their right to the judgment of an arbitrator.

And seeing every man is presumed to do all things in order to his own benefit, no man is a fit arbitrator in his own cause: and if he were never so fit, yet equity allowing to each party equal benefit, if one be admitted to be judge, the other is to be admitted also; and so the controversy, that is, the cause of war, remains, against the law of nature.

For the same reason no man in any cause ought to be received for arbitrator to whom greater profit, or honor, or pleasure apparently ariseth out of the victory of one party than of the other: for he hath taken it as an unavoidable bribe: yet, where he and no man can be obliged to trust him. And thus also the controversy and the condition of war remained, contrary to the law of nature.

And in a controversy of fact, the judge being to give no more credit to one than to the other, if there be no other arguments, must give credit to a third; or to a third and fourth; or more: for else the question is undecided, and left to force, contrary to the law of nature.

These are the laws of nature, dictating peace, for a means of the conservation of men in multitudes; and which only concern the doctrine of civil society. There be other things tending to the destruction of particular men; as drunkenness, and all other parts of intemperance, which may therefore also be reckoned amongst those things which the law of nature hath forbidden, but are not necessary to be mentioned, nor are pertinent enough to this place.

And though this may seem too subtle a deduction of the laws of nature to be taken notice of by all men, whereof the most part are too busy in getting food, and the rest too negligent to understand; yet to leave all men inexcusable, they have been contracted into one easy sum, intelligible even to the meanest capacity; and that is: Do not that to another which thou wouldst not have done to thyself, which showeth him that he has no more to do in learning the laws of nature but, when weighing the actions of other men with his own they seem too heavy, to put them into the other part of the balance, and his own into their place, that his own passions and self-love may add nothing to the weight; and then there is none of these laws of nature that will not appear unto him very reasonable. . . .

The laws of nature are immutable and eternal; for injustice, ingratitude, arrogance, pride, iniquity, acception of persons, by the rest can never be made lawful, nor can never be that war shall make it, and peace destroy it.

These laws, because they oblige only to a desire and endeavor, mean an unfeigned and constant endeavor, are easy to be observed. For in that they require nothing but endeavor, he that endeavoreth their performance fulfilleth them; and he that fulfilleth the law is just. And the science of them is the true and only moral philosophy. For moral philosophy is nothing else but the science of what is good and evil in the conversation and society of mankind. Good and evil are names that signify our appetites and aversions, which in different tempers, customs, and doctrines of men are different: and diverse men differ not only in their judgment on the senses of what is pleasant and unpleasant to the taste, smell, hearing, touch, and sight; but also of what is conformable or disagreeable to reason in the actions of common life. Nay, the same man, in diverse times, differs from himself; and one time praiseth, that is, calleth good, what another time he dispraiseth, and calleth evil: from whence arise disputes, controversies, and at last war. And therefore so long as a man is in the condition of mere nature, which is a condition of war, private appetite is the measure of good and evil: and consequently all men agree on this, that peace is good, and therefore also the way or means of peace, which (as I have shown before) are justice, gratitude, modesty, equity, mercy, and the rest of the laws of nature, are continued
Chapter 18 Of the Rights of Sovereigns
by Institution

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.

From this institution of a Commonwealth are derived all the rights and faculties of him, or them, on whom the sovereign power is conferred by the consent of the people assembled.

First, because they covenant, it is to be understood they are not obliged by former covenant to anything repugnant hereunto. And consequently they that have already instituted a Commonwealth, being thereby bound by covenant to own the actions and judgments of one, cannot lawfully make a new covenant amongst themselves, and be protected against other men.

From this institution of a Commonwealth are derived all the rights and faculties of him, or them, on whom the sovereign power is conferred by the consent of the people assembled.

Secondly, because the right of bearing the person of them all is given to him they make sovereign, by covenant only of one to another, and not of him to any of them, there can happen no breach of covenant on the part of the sovereign; and consequently none of his subjects, by any pretense of forfeiture, can be freed from his subjection. That he which is made sovereign maketh no covenant to his subjects before hand is manifest; because either he must make it with the whole multitude, as one party to the covenant, or he must make a several covenant with every man. With the whole, as one party, is impossible, because as they are not one person, and if he make so many several covenants as there be men, those covenants after he hath the sovereignty are void; because what act soever can be pretended by any one of them for breach thereof is the act both of himself, and of all the rest, because done in the person, and by the right of every one of them in particular. Besides, if any one or more of them pretend a breach of the covenant made by the sovereign at his institution, and others or one other of his subjects, or himself alone, pretend there was no such breach, there is in this case no judge to decide the controversy: it returns therefore to the sword again; and every man recovereth the right of protecting himself by his own strength, contrary to the design they had in the institution.

Thirdly, because the major part hath by consenting voices declared a sovereign, he that disented must now consent with the rest; that is, be contented to avow all the actions he shall do, or else justly be destroyed by the rest. For if he voluntarily entered into the congregation of them that were assembled, he sufficiently declared thereby his will, and therefore tacitly covenanted, to stand to what the major part should ordain: and therefore if he refuse to stand thereto, or make protestation against any...
motivate the sovereign to refrain from abusing his power, but poor judgment is harder to avoid.

The general thrust of Hobbes’ *Leviathan* understates the problem. His teaching on the laws of nature suggests that making, maintaining, and governing a Commonwealth consists in following certain rules, just as we do in arithmetic and geometry—and not, to use Hobbes’ example, as we do in tennis, where success depends on practice and experience. But Hobbes declares that he was the first to discover the true principles of politics. It seems there is no necessity in political life that makes these rules manifest. However, Hobbes also writes that oppression proceeds from “the unskilfulness of the governors, ignorant of the true rules of politics.” He additionally acknowledges that the sovereign may from time to time require the counsel of experts. Yet Hobbes suggests that there are certain rules of politics, similar to those of mechanics, civil engineering, and geometry, that are better than experience if one knows them. Unfortunately, he notes, where there are no rules, the one with the most experience is the best judge and therefore the best counselor. Hobbes concedes further that he who looks to those who know best acts properly in the manner as he who “uses able seconds at tennis play, placed in the proper stations.” Governing a commonwealth looks more like playing tennis than geometry because it requires judgment and experience. The surprising implication is that the laws of nature, which are rational precepts, are not sufficient guides for the sovereign but must serve as general guidelines for his judgment, rather than absolute and infallible rules. In other words, the laws of nature do not necessarily bind the sovereign, who may have to rely on his judgment or the counsel of others rather than obeying rational precepts. Hobbes acknowledges this in drawing the distinction between prudence and science by observing that a man gifted with a natural dexterity in handling arms will more than likely lose to one who augments his dexterity with the science of the use of arms. The sovereign’s judgment must be supplemented with Hobbes’ principles of politics.36

We may wonder, given the power of the passions described by Hobbes, whether any sovereign, individual, or assembly can judge well or distinguish the prudent course of action from momentary passion. We may wonder whether Hobbes has discovered the final answer to these political questions. We may also wonder whether Hobbesian political science is exposed to the same difficulty that allowed Socrates to silence Thrasymachus in the *Republic*.37

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Case Study 7.1: Hobbes and the Modern Liberal State

Is Hobbes relevant for understanding the practice of the modern liberal state? Let us consider for a moment property and property rights. Federalist 10 suggests that “the most common and durable source of factions has been the various and unequal distribution of property.” Publius goes so far as to say that “[t]he regulation of these various and interfering interests forms the principal task of modern legislation and involves the spirit of partisanship and faction in the necessary and ordinary operations of government.” Congress under the Constitution of 1787 has the power “to regulate Commerce with foreign nations, and among the several States, and with the Indian tribes.” Simply reading the commerce clause points to the general power Publius spoke of in Federalist 10.

Today, however, we read the clause as though among means between the states. We assume that there is a strict constitutional distinction between interstate and intrastate commerce. It seems we have adopted a Lockean notion that with respect to property and commerce, the government ought to adopt the principles of laissez-faire. Does the government have to be as powerful as Hobbes conceives it to ensure that property does not become a source of faction?

More recently, in Kelo v. London (2004), a bitterly divided U.S. Supreme Court upheld the constitutionality of local and state governments taking private property via the power of eminent domain for economic development projects. Would Hobbes agree that the distribution of private property and the determination of private property rights belong to the sovereign power? Would Hobbes’ sovereign recognize that there may exist limits to the regulation of property?

Case Study 7.2: Hobbes and International Relations

Hobbesian political thought is sometimes taken to be an example of the realistic approach to international relations. Hobbes argues that, internationally, countries stand opposed to each other in a state of nature, where every country is striving for its own survival. To survive, the sovereign must be concerned with keeping the country strong and in a state of concord. Because nothing is unjust in the state of nature, Hobbes concludes that no principles rule and measure international politics. Do you agree? How does Thomas Aquinas differ on this issue? Is there any ground for agreement between Hobbes and Aquinas on war and the conduct of foreign relations?

Consider also the “War on Terror.” In response to the terrorist attacks of September 11, 2001, the Bush administration reformulated U.S. foreign policy to include the option of preemptive strikes. In his graduation speech at West Point on June 1, 2002, President Bush argued that the United States faces a threat without precedent, “where our enemies no longer need great armies or great industrial capabilities to harm the American people.” He noted that the chaos and suffering of September 11 were purchased for much less than the cost of a single tank. “The gravest danger to freedom lies at the perilous crossroads of radicalism and technology.” Even weak states and small groups, he noted, can purchase biological nuclear weapons “to strike great nations.” The president concluded, “New threats require new thinking.” The Cold War strategies of “deterrence—the promise of massive retaliation against nations—mean nothing against shadowy terrorist networks with no nation or citizens to defend.” Moreover, “containment is not possible when unbalanced dictators with weapons of mass destruction can deliver those weapons on missiles or secretly provide them to terrorist allies.” It is for these reasons that the United States must go on the offensive and “disrupt the plans of the enemy and confront the worst threats before they emerge.”

Would Hobbes agree with this reasoning? Does Hobbes believe that the sovereign retains the right to preemptively strike enemies of the commonwealth?

Consider also the anti-Hobbesian argument of Federalist 8, wherein Publius argues that while “safety from external danger is the most powerful director of national conduct,” eventually “even the ardent love of liberty will, after a time, give way to its dictates” and adopt policies and institutions “which have a tendency to destroy their civil and political rights.” Is Publius correct in his reasoning? How would Hobbes respond?