



Universiteit
Leiden
The Netherlands

A Systematic Interpretation of Hobbes's Practical Philosophy

Doomen, J.

Citation

Doomen, J. (2010). A Systematic Interpretation of Hobbes's Practical Philosophy. *Croatian Journal Of Philosophy*, 10(29), 157-172. Retrieved from <https://hdl.handle.net/1887/17817>

Version: Not Applicable (or Unknown)

License: [Leiden University Non-exclusive license](#)

Downloaded from: <https://hdl.handle.net/1887/17817>

Note: To cite this publication please use the final published version (if applicable).

A Systematic Interpretation of Hobbes's Practical Philosophy

JASPER DOOMEN
Leiden, The Netherlands

Hobbes's political philosophy departs from a number of premises that are supposed to be self-evident, supplemented by various observations from experience. These statements are examined critically and in their interrelatedness in order to find out to what extent Hobbes provides a convincing system of thought. The importance of the basis of man's actions, his self-interest, is inquired, since it serves as the basis of his practical philosophy. After this, Hobbes's views on 'moral' notions are expounded. As it turns out, Hobbes maintains a number of concepts that have such a connotation, but interprets these in a specific way. The article is concluded with a modest systematic reconstruction of Hobbes's main thoughts in practical philosophy.

Keywords: Hobbes, Axioms, Self-interest, Moral Philosophy

Introduction

In this article, the foundations of Hobbes's practical philosophy are laid bare. His views are expounded in order to make it clear what his practical philosophy means and what its implications are. Practical philosophy can also be called 'moral philosophy', a term used by Hobbes himself,¹ just as 'moral law'.² As will be shown, in Hobbes's case this does not mean he fails to problematize the notions often dubbed 'moral', such as 'good', 'evil', 'right' and 'wrong'. In fact, his analysis of 'moral philosophy' is detrimental to any approach that does not explicate them. A number of viewpoints are presented in a more or less geometrical guise, in that axioms are used that are not proven but rather taken to be immediately clear, apparently not requiring a corroboration, on

¹ E.g., *Leviathan*, Ch. 15 (110).

² E.g., *De Cive* (the English version), Ch. 4, § 1 (76).

the basis of which an a priori system of thought is erected, although the role of experience is also considered.

First, I will briefly comment on Hobbes's methodology in general, so that it will be clear how his empirical outlook may be reconciled with the presence of axioms. Then, in the second section, the basis of man's actions is identified as self-interest. It is maintained that both consciously and naturally, one seeks out what is beneficial to oneself. This, one might say, somewhat meager approach to human motivation needs to be supplemented by an inquiry into the 'moral' notions, so that an alternative account, starting with them, is excluded. The third section is focused on that. Finally, the fourth section shows how the views presented are related.

The difficulty in (re)constructing a philosopher's view thus is that no clearly demarcated model, waiting to be discovered, is extant. Hobbes does not present his ideas in the way I will expound them (otherwise, part of this article would be superfluous). Attempts have been made to put forward one's ideas geometrically,³ or to systematize the thoughts of others in this fashion.⁴ This article is limited both in scope and ambition, not directed at Hobbes's philosophy in its entirety but at its most important part, namely, his practical philosophy.

Moreover, an interpretation according to one's own predilections looms. This danger is not great with Hobbes, who is usually clear and seldom ambiguous, providing elucidative examples in cases where misinterpretation might occur. The risk of a 'tunnel vision' or confirmation bias is reduced for the same reason. This doesn't mean that misinterpretation may not still occur, but one has to make an effort and apply a procrustean method, leaving none of Hobbes's main points intact, in order to do so, which has, I think, nonetheless sometimes been done. That an interpretation is realized with which Hobbes himself would completely concur, which is, of course, the ideal, is not realistic—as one can only know what he wrote and must always interpret his words in some way—but in this contribution I shall make an effort, by working consistently and taking everything he says seriously, to come as close as possible.

1. *The nature of practical philosophy's axioms*

Although Hobbes maintains that knowledge is acquired empirically, elements that may be qualified a priori in the modern usage are significant in his philosophy. He states knowledge of fact originally to be sense⁵ and the senses to be the sources of conceptions.⁶ Knowledge of consequences, alternatively, which is also presented as science, is con-

³ Notably, Spinoza's *Ethica*.

⁴ Spinoza may serve as an example here, again (*Renati Des Cartes Principiorum Philosophiae Pars I & II*).

⁵ *Leviathan*, Ch. 7 (47).

⁶ *Leviathan*, Ch. 1 (13), Ch. 3 (20); cf. Ch. 2 (15).

sidered to be of a conditional nature,⁷ especially since science is presented as “[...] the knowledge of Consequences, and dependance of one fact upon another [...]”.⁸ One may detect a precursory analysis to that of Hume, who reduces the objects of human reason to matters of fact and relations of ideas,⁹ although this parallel should not lead to a simplistic (and perhaps even procrustean) interpretation. In this case, too, experience is stated to be the origin: “[...] the understanding of [all manner of Sciences] (because CHRIST hath not delivered it) is to be learnt from reasoning, that is to say by making necessary consequences, having first taken the beginning from experience.”¹⁰

The English version of *De Cive* can, incidentally, be said to leave some doubt whether this really applies to all sciences, stating: “[...] all manner of Sciences, which (comprehended under the Title of Philosophy) are necessary partly to live, partly to live well [...]”.¹¹ although the comma before ‘which’ may indicate an amplifying clause and hence confirm this; the issue at hand, however, is whether reasoning necessarily starts with experience. This is not per se the case if one follows the presentation in the English version (it may contingently be the case that reasoning starts thus), but the Latin version is clearer in this respect, stating: “Horum scientia [...] ratiocinatione, id est, texendo consequentias initio sumpto ab experientiis, addiscenda est.”¹² which renders, literally translated: “the understanding of these [...] is to be learned by reasoning, that is, by joining consequences having taken the beginning from experiences.” The phrase ‘id est’ (‘that is’) makes it clear that a necessary connection is taken to exist here.

To return to the general point, the fact that experience serves as the basis of knowledge doesn’t mean that interpreting (part of) Hobbes’s philosophical enterprise as being based on (presumably) self-evident starting-points is doomed to fail. First, the interpretation is a construction (namely, by the interpreter of his thoughts), in which the results are not necessarily presented in the same way Hobbes himself did. Secondly, related to this, the fact that (factual) knowledge is acquired empirically doesn’t mean that such a system cannot be realized, albeit, in that case, afterwards. Thirdly, Hobbes may be said to have argued that political philosophy should be developed mathematically.¹³ Fourthly, Hobbes adduces the existence of self-evident truths: “It is of it selfe manifest, that the actions of men proceed from the will [...]”.¹⁴

⁷ *Leviathan*, Ch. 7 (47).

⁸ *Leviathan*, Ch. 5 (35).

⁹ D. Hume, *An Enquiry concerning Human Understanding*, Section 4, Part 1 (35).

¹⁰ *De Cive* (the English version), Ch. 17, § 12 (229).

¹¹ *De Cive* (the English version), Ch. 17, § 12 (229).

¹² *De Cive* (the Latin version), Ch. 17 § 12 (261).

¹³ L. Strauss, *Hobbes' politische Wissenschaft in ihrer Genesis*, 157–158.

¹⁴ *De Cive* (the English version), Ch. 5, § 1 (85).

Difficultly, however, he does acknowledge primary propositions, but characterizes them as definitions,¹⁵ stating that axioms do not fit this qualification.¹⁶ In *Leviathan*, it is made clear that definitions need to be used in order to reach scientific statements;¹⁷ “[...] a man that seeketh precise *truth*, had need to remember what every name he uses stands for; and to place it accordingly [...]”¹⁸ Significantly, Hobbes points to the problematic conclusions that may be reached if one starts with definitions, but he limits this to situations in which ‘wrong’ definitions are used. In fact, I think the use of definitions is more problematic than Hobbes proposes, but this is not the place for a detailed analysis of that issue.

2. *Self-interest*

As was pointed out, Hobbes dismisses axioms, although he accepts the possibility, and even existence, of self-evident truths. A number of basic starting-points, which may, I think, irrespective of Hobbes’s *prima facie* qualification, be qualified as axioms, are, as I will try to demonstrate, implicitly present in his practical philosophy.

The most basic axiom can be found by inquiring on what basis people act. Obviously, their actions have a great number of goals, and even organizing these goals may leave many categories. Still, Hobbes maintains that all voluntary actions have something in common, namely that they are based on self-interest: “[...] of the voluntary acts of every man, the objects is some *Good to himselfe*.”¹⁹ (It would, in my opinion, be a mistake to claim that self-interest has practically disappeared in *Leviathan*,²⁰ particularly if this is partly based on the fact that the specific objects for people vary,²¹ since this merely means that the *content* of the motivations differs.)

On the basis of this presentation, it may be thought that this is a contingent given—man happens to want something for himself—but Hobbes specifies that this is a natural process (which also includes non-voluntary actions): “[...] every man by nature seeketh his own benefit, and promotion [...]”²² Moreover, man necessarily acts in a self-interested manner: “[...] every man, by naturall necessity desires that which is good for him [...]”²³

Some empirical evidence is put forward, but not in such a way that

¹⁵ *De Corpore*, Pars 1, Cap. 3, § 9 (33); Cap. 6, § 13 (72).

¹⁶ *De Corpore*, Pars 1, Cap. 3, § 9 (33).

¹⁷ *Leviathan*, Ch. 7 (48).

¹⁸ *Leviathan*, Ch. 4 (28).

¹⁹ *Leviathan*, Ch. 14 (93) (cf. Ch. 15 (105)); *The Elements of Law*, Part 1, Ch. 3, § 6 (99); *De Cive* (the English version), Ch. 2, § 8 (55).

²⁰ F. McNeilly, ‘Egoism in Hobbes’, 205.

²¹ *Ibid.*

²² *Leviathan*, Ch. 19 (133).

²³ *De Cive* (the English version), Ch. 1, § 13, (49). Hobbes mentions this in the context of his depiction of the state of nature, but the statement is of a general

a decisive conclusion is reached if experience serves as the standard. That this is *not* the standard, and the self-interest premise is indeed an axiom, is the only alternative; that this approach is opted by Hobbes also follows from the following formulations: “[...] every man is presumed to seek what is *good for himselfe* naturally [...]”²⁴; “[...] every man is presumed to do all things in order to his own benefit [...]”²⁵ This stance has both strengths and weaknesses. The a priori manner of observing behavior has the benefit that a definite conclusion is reached, rather than one in which conclusive results are not always to be expected, as in empirical investigations, in which one usually has to settle for a provisional outcome, to be complemented and specified by further research.

This benefit is at the same time its downside, however: how can one say anything about man’s actions without (extensively) inquiring the actual behavior? One may argue: “No axiom demonstrates that people make choices that serve their best interests; this is a question to be answered based on evidence.”²⁶ Part of the problem is removed if one focuses on the analysis of the notions. In this way, an action (or, rather, the agent) may simply be dubbed self-interested, even reducing pity to one’s own position, stating: “*Griefe*, for the Calamity of another, is PITY; and ariseth from the imagination that the like calamity may befall himselfe; and therefore is called also COMPASSION, and in the phrase of this present time a FELLOW-FELLING [...]”²⁷ The analysis is consistent: from the fact that one imagines one’s own suffering, one suffers as well (com-passion). No room is left in Hobbes’s viewpoint for actions that would primarily seem to be directed at others’ benefit, such as sacrificing oneself, particularly since it is against reason to give up one’s life.²⁸

These actions should be accounted for and should perhaps be qualified as self-interested, albeit in another sense than the only one for which Hobbes leaves room. It would, e.g., be unimaginable in his line of thought that people sacrifice themselves, the more so since “[...] every man is desirous of what is good for him, and shuns what is evil, but chiefly the chiefest of naturall evils, which is Death; and this he doth, by a certain impulsion of nature, no lesse then that whereby a Stone moves downward [...]”²⁹ Of course, strictly speaking, this situation doesn’t qualify as one in which a ‘voluntary motion’ is decisive, but

nature, and man’s drive is not merely thus in that situation, as is clear from the way man in the civil state is described (cf., e.g., Ch. 6, § 4 (93)).

²⁴ *De Cive* (the English version), Ch. 3, § 21 (70).

²⁵ *Leviathan*, Ch. 15 (109).

²⁶ C. Jolls, C. Sunstein, R. Thaler, ‘A Behavioral Approach to Law and Economics’, 1545.

²⁷ *Leviathan*, Ch. 6 (43).

²⁸ E.g., *De Cive* (the English version), Ch. 1, § 7 (47).

²⁹ *De Cive* (the English version), Ch. 1, § 7 (47); cf. *The Elements of Law*, Part 1, Ch. 1, § 6 (83). The notions ‘good’ and ‘evil’ are not qualified ‘morally’, since the issue is what is good (and evil) for every man. In section 3, this will be elaborated upon.

rather an 'animal motion',³⁰ but appetite and desire are decisive in both cases,³¹ and besides, it would be difficult to grasp, given Hobbes's view of the object of man's voluntary actions,³² how a voluntary action could counter this animal motion. Since an exposition on this matter would diverge too much from the present issue, I will leave it out here.

Finally, Hobbes says: "[...] the proper object of every man's will, is some Good to himselfe."³³ The word 'good' is obviously not to be understood in a 'moral' sense. How Hobbes considers 'moral' notions will be indicated in section 3, but 'proper' might be taken thus, so that the sentence would be read as: 'every man's will should ('morally') be something he values.' This would render the outcome that one should ('morally') act in one's self-interest, which would be redundant, since he states, as was shown, that self-interest lies at the root of (voluntary) actions. Moreover, as I will argue in the next section, 'moral' notions are not maintained by Hobbes, at least not in the sense (expounded in the traditional approach) that they would have a meaning linked to something 'good' in an absolute sense, absolute standards being absent in this regard. 'Proper' is, accordingly, to be understood here as 'real' (or 'right' in a non-'moral' sense).

3. *The analysis of 'moral' notions*

If self-interest is in each case decisive, the question is pertinent whether actions based on 'moral' convictions are excluded. 'Moral philosophy' is, for Hobbes, the science of what is good and evil.³⁴ In *Leviathan*, natural laws, which will be dealt with below, are called 'moral laws', "[...] consisting in the Morall Vertues, as Justice, Equity, and all habits of the mind that conduce to Peace, and Charity [...]"³⁵ 'Moral laws' are taken (broadly) to mean the laws that "[...] concern the manners and conversation of men, one towards another [...]"³⁶ In *De Cive*, the moral law is identified with the natural law.³⁷ Gauthier rightly points to the specific (divergent) meaning of Hobbes's 'moral' contentions: "[...] Hobbes's concepts are practical, moral in so far as 'moral' means 'practical', 'concerning what to do', but not in so far as 'moral' means 'opposed or superior to prudential'."³⁸

³⁰ *Leviathan*, Ch. 6 (38).

³¹ *Leviathan*, Ch. 6 (38).

³² Cf. note 19, supra.

³³ *Leviathan*, Ch. 25 (176); cf. *De Cive* (the English version), Ch. 1, § 7 (47).

³⁴ *Leviathan*, Ch. 15 (110).

³⁵ *Leviathan*, Ch. 26 (197).

³⁶ *The Elements of Law*, Part 1, Ch. 5, § 1 (111).

³⁷ *De Cive* (the English version), Ch. 4, § 1 (76).

³⁸ D. Gauthier, *The Logic of Leviathan* (28). Cf. G. Herbert, 'The Non-normative Nature of Hobbesian Natural Law' (4): "What morality there is in Hobbes's philosophy is political. It reduces to obeying the law or, in the state of nature, to a willingness to prefer peace."

How 'virtue' is treated and what 'justice' means, according to Hobbes, will be shown below. 'Equity' is simply linked to the given that an unequal treatment leads to war,³⁹ and, irrespective of that, as appears from the quote, peace as the goal is the pivotal factor. Peace is not necessarily something 'good' and must, in the line of thought presented above, be considered to be the outcome of a selfish deliberation.

'Charity' is a somewhat difficult matter. Hobbes says little about this in both *Leviathan* and *De Cive*. It is clear that the sovereign must provide for (some) public charity.⁴⁰ In the context of what Hobbes propagates, this is merely necessary in order to prevent the citizens from resisting the sovereign's reign. After all, if he is unable to protect them (anymore), they are exempt from obedience to him.⁴¹ In *De Cive*, this is applied directly to the present issue, including happiness in the reasons to institute a government, the sovereign acting against his self-interest if he should not support his subjects.⁴² The issue is somewhat complicated in this respect, since improving the subjects' strength is also the sovereign's mission.⁴³ This may be carried through in general, charity supposedly lessening the mutual threats between people. A beggar to whom some alms are given, e.g., is (*ceteris paribus*) less likely to rob someone than one who is not. Of course, this is speculative as Hobbes doesn't mention this situation; moreover, in the state of nature, no property (in the strict sense) exists⁴⁴ whereas in the civil state, the beggar should be kept from breaking the law except if he would otherwise die of starvation. Still, this interpretation of 'charity' appears to be most in line with Hobbes's general argumentation.

Importantly, "*Good*, and *Evill*, are names that signifie our Appetites, and Aversions; which in different tempers, customes, and doctrines of men, are different: And divers men, differ not onely in their Judgement, on the senses of what is pleasant, and unpleasant to the tast, smell, hearing, touch, and sight; but also of what is conformable, or disagreeable to Reason, in the actions of common life."⁴⁵

This might still leave the option of something existing as 'good as such' or 'good in itself', but Hobbes doesn't refer to this and it plays no part in his practical philosophy. (He does exclude the existence of a 'highest (or greatest) good'.⁴⁶) A common ground can, then, be found, but only with regard to the way the actions are organized. A parallel to the self-interest analysis is evident: people are all intent on finding

³⁹ *Leviathan*, Ch. 15 (108).

⁴⁰ *Leviathan*, Ch. 30 (239).

⁴¹ *Leviathan*, Ch. 21 (153).

⁴² *De Cive* (the English version), Ch. 13, § 4 (158).

⁴³ *De Cive* (the English version), Ch. 13, § 4 (158); cf. *Leviathan*, Ch. 30 (240): "[...] The good of the Sovereign and People, cannot be separated."

⁴⁴ *Leviathan*, Ch. 13 (90); cf. Ch. 24 (171).

⁴⁵ *Leviathan*, Ch. 15 (110); cf. Ch. 6 (39); *De Cive* (the English version), Ch. 3, § 31 (74), Ch. 14, § 17 (177, 178).

⁴⁶ *Leviathan*, Ch. 11 (70).

pleasure and avoiding pain, but what exactly they seek varies from one case to the next. In the civil state, a standard is introduced, but artificially and without any 'moral' aspirations. In a common-wealth, the civil law serves as the measure of 'good' and 'evil'.⁴⁷

I argued that, according to Hobbes, at the basis of man's actions lies self-interest, but the specific objects of these actions vary. He concretizes this somewhat when he defines 'law of nature': "A LAW OF NATURE (*Lex naturalis*,) is a Precept, or generall Rule, found out by Reason, by which a man is forbidden to do, that, which is destructive of his life, or taketh away the means of preserving the same; and to omit, that, by which he thinketh it may be best preserved."⁴⁸ (In *Leviathan*, the indefinite article is used here, reserving the definite article for the actual laws of nature; in *De Cive*, less consistently, the definite article is used in the general description as well.⁴⁹)

The inclination to survive has already been discussed. Reason doesn't serve another purpose than an instrumental one (dismissing, for example, a Kantian approach): "[...] REASON, [when wee reckon it amongst the Faculties of the mind], is nothing but *Reckoning* (that is, Adding and Subtracting) of the Consequences of generall names agreed upon, for the *marking* and *signifying* of our thoughts [...]"⁵⁰; "[...] deliberation is nothing else but a weighing, as it were in scales, the conveniences, and inconveniences of the fact that we are attempting; where, that which is more weighty, doth necessarily according to its inclination prevaile with us."⁵¹

Reason as such doesn't, consequently, provide 'moral' standards. The fact that the laws of nature—which are deemed theorems⁵²—are considered to be dictates of reason⁵³ means that the outcome of deliberation 'forces' man to a course of action, namely to preserve his life. One is 'forbidden', which seems to have some 'moral' connotation, but, given Hobbes's other statements, this can only mean that this is the only reasonable course to take; reason forbids man to act thus as it would conflict with one's self-interest. This is also the way it forbids (*inter alia*) theft and adultery.⁵⁴ In *De Cive*, he does define the law of nature as "[...] the Dictate of right Reason [...]"⁵⁵ but 'right reason' is an instrumental faculty.⁵⁶ Only by disregarding Hobbes's observations on the 'moral' concepts can it be argued that there is a 'moral' obligation to obey the law(s) of nature.⁵⁷ A link between his position in this respect

⁴⁷ *Leviathan*, Ch. 29 (223); cf. Ch. 46 (469).

⁴⁸ *Leviathan*, Ch. 14 (91).

⁴⁹ *De Cive* (the English version), Ch. 2, § 1 (52).

⁵⁰ *Leviathan*, Ch. 5 (32).

⁵¹ *De Cive* (the English version), Ch. 13, § 16 (166).

⁵² *Leviathan*, Ch. 15 (111).

⁵³ *Leviathan*, Ch. 15 (111).

⁵⁴ *De Cive* (the English version), Ch. 14, § 10 (174).

⁵⁵ *De Cive* (the English version), Ch. 2, § 1 (52).

⁵⁶ *De Cive* (the English version), Ch. 2, § 1 (52).

⁵⁷ A. Taylor, 'The Ethical Doctrine of Hobbes', 411.

and a Kantian imperative may be suggested, but only by producing an unfounded interpretation (circumventing the problems involved with taking the 'moral' notions at face value).⁵⁸

The right of nature, which serves in Hobbes's model as the counterpart to the laws of nature in that it presents the basic freedom in the state of nature, being restricted by the laws of nature—people realize that restricting this freedom is necessary in order to leave the state of nature—has no 'moral' value.⁵⁹ It is defined as "[...] the Liberty each man hath, to use his own power, as he will himselfe, for the preservation of his own Nature; that is to say, of his own Life; and consequently, of doing any thing, which in his own Judgement, and Reason, hee shall conceive to be the aptest means thereunto."⁶⁰

Hobbes does say: "The [natural] *Law* [...], in the means to Peace, commands [...] *Good Manners*, or the practise of *Vertue*: And therefore it is call'd *Morall*."⁶¹ Significantly, the fact that peace is considered something good (in the sense of agreeable) is put forward as the *reason* why modesty, equity, trust, humanity and mercy are virtues: they are conducive to peace.⁶² Warrender claims that 'right' is used as (besides that which one cannot be obliged to renounce) that to which one is morally entitled, but fails to support this.⁶³ By contrast, it is, in accordance with the line of thought presented, more compelling to say that "[...] the Hobbesian 'moral' system is nothing more than a system of common, or universal, prudence."⁶⁴

Harvey offers a partially convincing analysis, but seems to smuggle in traditional conceptions of 'morality'. He rightly says that "[...] what Hobbes has done is recast the traditional understanding of moral virtue into a prudential, instrumentalist mold."⁶⁵ and that "[...] the Laws of Nature *require* us to create a moral system that embodies objective claims of right."⁶⁶ Taking such a line of thought seriously seems difficultly reconcilable with the claim that 'fair dealing' and 'propriety' in the traditional sense would be involved.⁶⁷ The unwarranted holding on to the traditional elements in this interpretation is clear in the following: "[...] we are rationally bound to abide by our moral obligations

⁵⁸ A. Taylor, 'The Ethical Doctrine of Hobbes', 409.

⁵⁹ Cf. G. Herbert, 'The Non-normative Nature of Hobbesian Natural Law' (15): "Natural right is a natural liberty only because there is no sovereign, mortal or Divine, to coerce one into acting otherwise. As such it is non-moral."

⁶⁰ *Leviathan*, Ch. 14 (91); cf. De Cive (the English version), Ch. 1, § 7 (47). 'Liberty' is defined, 'morally' neutrally, as "[...] the absence of externall Impediments [...]" (*Leviathan*, Ch. 14 (91)).

⁶¹ *De Cive* (the English version), Ch. 3, § 31 (75).

⁶² *De Cive* (the English version), Ch. 3, § 31 (74–75); cf. *The Elements of Law*, Part 1, Ch. 4, § 14 (110).

⁶³ H. Warrender, *The Political Philosophy of Hobbes*, 18–19.

⁶⁴ D. Gauthier, *The Logic of Leviathan*, 98.

⁶⁵ M. Harvey, 'Hobbes's Voluntarist Theory of Morals', 59.

⁶⁶ M. Harvey, 'Hobbes's Voluntarist Theory of Morals', 59.

⁶⁷ M. Harvey, 'Hobbes's Voluntarist Theory of Morals' (60, 62).

insofar as doing so leads to self-preservation, peace and the safe pursuit of felicity. Crucially, however, the moral obligations so incurred remain free-standing: each party to such voluntary agreements *merits* proper performance on the part of their fellows as their *due*. For Hobbes, *moral obligation is an emergent but non-reducible property of rational obligation*.⁶⁸

Zagorin's approach suffers from the same problem. Criticizing, among others, Gauthier,⁶⁹ he points to Hobbes's view of the law of nature as incorporating "[...] a large body of morals and virtues, including peace and peacebleness, a concern for life, civility, benevolence, and equal consideration for others, that would have to be a part of any true system of morality, irrespective of its underlying philosophic principles."⁷⁰ I have above pointed to the meaning of peace, the concern for life, civility and benevolence for Hobbes. Equal consideration for others will be discussed below. It is, on the basis of the considerations in this section and the previous one, possible and would, I think, constitute the most convincing account, to present a consistent analysis of Hobbes's thinking without clinging to traditional 'moral' categories.

The actual laws are important in order to know the foundation, according to Hobbes, of the common-wealth. Originally, people are supposed to live in a condition of war, in which the threat of combat is continuously present,⁷¹ and which they seek to escape by erecting a common-wealth.⁷² (It may be debated whether Hobbes considered this an actual situation or utilized it as a mere thought experiment. He points to America in his own time⁷³ and, at the international level, the competition between nations.⁷⁴ It is, for the line of thought presented in this article, not decisive whether the historical approach is opted.) The commands contained in the laws of nature presuppose that one has insufficient power to simply do what one wants (to continue living) without having to make concessions to others. A crucial premise, then, is that people are (approximately) equally strong, both in the strict sense (body strength) and in the broad sense, including mental capacities,⁷⁵ which Hobbes takes from experience (implicitly⁷⁶ and explicitly⁷⁷).

A circle seems to emerge, since Hobbes insists—arguing this as the ninth law of nature in *Leviathan*—that people acknowledge their mutual equality.⁷⁸ After all, if this equality needs to be presupposed for the laws of nature to apply at all, it would be strange that it appears as one

⁶⁸ M. Harvey, 'Hobbes's Voluntarist Theory of Morals', 63.

⁶⁹ P. Zagorin, *Hobbes and the Law of Nature* (47; 145, note 97).

⁷⁰ P. Zagorin, *Hobbes and the Law of Nature* (48).

⁷¹ *Leviathan*, Ch. 13 (88–89).

⁷² *Leviathan*, Ch. 17 (117–118).

⁷³ *Leviathan*, Ch. 13 (89).

⁷⁴ *Leviathan*, Ch. 13 (90).

⁷⁵ *Leviathan*, Ch. 13 (86–87).

⁷⁶ *Leviathan*, Ch. 13 (86–87).

⁷⁷ *De Cive* (the English version), Ch. 1, § 3 (45).

⁷⁸ *Leviathan*, Ch. 15 (107).

of the laws. Still, he maintains inequality (according to which people suppose themselves superior to others) to be against reason (and experience).⁷⁹ This ninth 'dictate of reason' may then serve as a rule to counter the passion that lies at the root of this stance. The basic equality is located at a higher level and serves as a necessary condition for the human condition, whereas the situation covered by the ninth law of nature applies to man's reflection once he finds himself confronted with this situation.

Because of the definition of 'right of nature'—man may use his power as he deems fit—if the mitigations presented by the ninth law of nature were absent, a more or less stable situation would ensue without the need to establish a sovereign power artificially. This is why it can be said: "[...] if there had been any man of power Irresistible; there had been no reason, why he should not by that power have ruled, and defended both himselfe, and [men], according to his own direction."⁸⁰ Apparently, this hypothetical man is presented as irresistibly powerful, but not as omnipotent, for notwithstanding his qualities, he still, so it is said, seeks to protect others, which can, with the general self-interested motivation in mind, only be explained if he needs their services, for whatever reason.

Conscience is mentioned as decisive in some occasions. The word 'conscience' may have a 'moral' connotation; it needs to be inquired how Hobbes uses this notion. He indicates that it would be against reason for someone to observe the laws of nature if others don't, since this would make him vulnerable. In general, the laws of nature keep their force, but this doesn't apply if they cannot safely serve as directives: "[...] the Law of Nature doth alwayes, and every where oblige in the *internall Court*, or that of *Conscience*, but not always in the *externall Court*, but then onely when it may be done with safety."⁸¹

From what has already been said about the laws of nature and the meaning of the 'moral' notions, it is clear that 'conscience' doesn't add a 'moral' dimension. The account in *Leviathan* removes any ambiguity: "The Lawes of Nature oblige *in foro interno*; that is to say, they bind to a desire they should take place: but *in foro externo*; that is, to the putting them in act, not alwayes."⁸² It is only possible to argue that conscience has a 'moral' meaning for Hobbes if one contributes a meaning to the word that is not mentioned or alluded to by him. Here, just as in the case of 'moral philosophy', 'reason', 'virtue', and 'justice', (cf.

⁷⁹ *Leviathan*, Ch. 15 (107).

⁸⁰ *Leviathan*, Ch. 31 (247). Incidentally, in the religious dimension, such an instance is provided: "The right of nature, whereby God reigneth over men, and punisheth those that break his Lawes, is to be derived not from his Creating them, as if he required obedience, as of Gratitude for his benefits; but from his Irresistible Power." *Leviathan*, Ch. 31 (246).

⁸¹ *De Cive* (the English version), Ch. 3, § 27 (73).

⁸² *Leviathan*, Ch. 15 (110); cf. *The Elements of Law*, Part 1, Ch. 4, § 10 (108) and *De Cive* (the English version), Ch. 4, § 21 (83).

notes 34, 50, 62, *supra*; 91, 92, *infra*), it is necessary to ascertain what Hobbes himself says without relying on preconceived meanings. The notions can be dubbed 'moral' concepts, but only if 'moral' is taken to mean 'practical'.⁸³ The observation that "The laws of nature as moral rules always exert a claim on the human conscience to be disposed to comply with them, which can hardly be true of the motive of self-interest."⁸⁴ can only be correct if 'conscience' is interpreted in the traditional way, which Hobbes opposes.

Of the laws of nature, the first and third (following the *Leviathan* presentation) are the most important ones here. The first (fundamental) law of nature is: "[...] *to seek Peace, and follow it.*"⁸⁵, which follows from the general rule of reason "[...] *That every man, ought to endeavour Peace, as farre as he has hope of obtaining it [...].*"⁸⁶ 'Ought' does not point to a 'moral' obligation (except in Hobbes's idiosyncratic sense) any more than 'forbidden' above would to a 'moral' prohibition, for Hobbes bases this rule of reason on man's need (i.e., his self-interest) to evade the state of nature.⁸⁷ One cannot link 'ought' to a (Kantian) deontology⁸⁸ as long as one wants to remain close to what Hobbes actually says.

The third law of nature, which follows from the second—people mitigate their right to defend themselves to the same degree others do⁸⁹—is "[...] *That men performe their Covenants made [...].*"⁹⁰ This is a corollary to the motivation to evade the state of nature, no additional ('moral') grounds being present. This means that the notion 'justice' is equally 'morally' empty: "[...] in this law of Nature, consisteth the Fountain and Originall of JUSTICE. For where no Covenant hath preceded, there hath no Right been transferred, and every man has right to every thing; and consequently, no action can be Unjust. But when a Covenant is made, then to break it is *Unjust*: and the definition of INJUSTICE, is no other than *the not Performance of Covenant.*"⁹¹ Justice is defined as keeping of covenant, and is "[...] a Rule of Reason, by which we are forbidden to do any thing destructive to our life; and consequently a Law of Nature."⁹² The same analysis of 'forbidden' as above applies here.

The coming about of a common-wealth is necessary because people don't always act by means of reason; in fact, "[...] the Passions of men, are commonly more potent than their Reason"⁹³ If reason were dominant in this regard, the laws of nature would be decisive and the state

⁸³ Cf. D. Gauthier, *The Logic of Leviathan*, 27, 67, and note 38, *supra*.

⁸⁴ P. Zagorin, *Hobbes and the Law of Nature*, 105.

⁸⁵ *Leviathan*, Ch. 14 (92).

⁸⁶ *Leviathan*, Ch. 14 (92).

⁸⁷ *Leviathan*, Ch. 14 (91).

⁸⁸ A. Taylor, 'The Ethical Doctrine of Hobbes', 424.

⁸⁹ *Leviathan*, Ch. 14 (92).

⁹⁰ *Leviathan*, Ch. 15 (100).

⁹¹ *Leviathan*, Ch. 15 (100).

⁹² *Leviathan*, Ch. 15 (103); cf. Ch. 26 (185).

⁹³ *Leviathan*, Ch. 19 (131).

of nature would not be identical with the state of war; since these laws conflict with the passions, however, a common-wealth is necessary.⁹⁴

This is the reason why Rousseau's objection that one necessary yields to force, so that no duty would remain,⁹⁵ is unwarranted: even irrespective of the fact, pointed out above, that Hobbes's way of regarding notions such as 'duty' idiosyncratically (Rousseau doesn't make it clear what exactly *he* means by duty ('devoir') here, but it seems that his position differs from Hobbes's even at this level of inquiry), Hobbes's analysis of one's duty takes place at a level prior to the one Rousseau discusses; that level is one which follows once one has acted as one should, not succumbing to one's passions but acting upon reason. Rousseau's distinction between duty and prudence⁹⁶ is, from Hobbes's perspective, nonexistent.

The passions are considered 'commonly' to be more potent than reason. This seems to be more of an empirical observation than an axiom. It is significant since it relativizes the merit of the laws of nature in realizing peace.

In a common-wealth, general rules (by means of civil laws) are established, functioning as the measure of 'good' and 'evil'.⁹⁷ This doesn't mean that 'moral' standards are introduced, but only that a single source of rules of conduct is appointed, i.e., the sovereign. An artificial criterion for 'just' and 'unjust' actions is thus apparent.⁹⁸ The subjects are not supposed to act from 'moral' intentions, for people only obey the laws out of fear,⁹⁹ weighing the advantages and disadvantages of breaking it.¹⁰⁰ The link with self-interest is clear.

A great number of issues have been brought together in the above sections; the pattern that is discernable will be demonstrated in the last section by ordering the most important premises.

4. *A systematic construction*

As was mentioned in the introduction, the (modest) scheme that exhibits the fundamentals of Hobbes's practical philosophy and the way they are interrelated is a construction. It is warranted, I think, because nothing is included that Hobbes hasn't stated and the positions of the various parts follow from the respective importance that is attributed to his respective contentions.

In the first section it was argued that self-interest lies at the root of all voluntary and non-voluntary actions (cf. notes 19, 22, 23, *supra*).

⁹⁴ *Leviathan*, Ch. 17 (117).

⁹⁵ J.-J. Rousseau, *Du Contract Social*, Livre 1, Cap. 3 (354).

⁹⁶ J.-J. Rousseau, *Du Contract Social*, Livre 1, Cap. 3 (354).

⁹⁷ *Leviathan*, Ch. 29 (223); Ch. 46 (469).

⁹⁸ *Leviathan*, Ch. 15 (100, 101); Ch. 30 (239).

⁹⁹ *Leviathan*, Ch. 27 (206); cf. *De Cive* (the English version), Ch. 14, § 8 (173): "[...] in vain is that Law which may be broken without punishment."

¹⁰⁰ *Leviathan*, Ch. 27 (203).

This is, therefore, the most basic given. It is an axiom since Hobbes doesn't derive it from experience per se; as was said, it has a semantic rather than an empirical justification. The laws of nature are derived from the self-interested stance: it is through (right) reason that one finds out what the laws of nature are (cf. note 53, *supra*) and that one must continue to live (cf. notes 29, 48, *supra*).

If people were not (approximately) equally strong, these laws of nature would not be observed. It is only because the most powerful person is unable to overawe the rest that they compel (cf. note 80, *supra*). Since reason is not constantly one's guide—one is usually rather driven by his passions (cf. note 93, *supra*)—the role of the passions needs to be taken into consideration, too. The laws of nature are theorems (cf. note 52, *supra*), so they are not themselves (self-evident) starting-points, but rather the result of a deliberation, being derived from a calculus of the pros and cons of acting in some way, deliberation consisting in this process (cf. notes 50, 51, *supra*).

This applies not only to the first and third laws of nature, which were mentioned in section 3, but to all of them. They are (virtually) all necessarily (and explicitly) linked to peace, which is preferable to war and consequently to be pursued if one acts reasonably. The 'moral' notions retain their practical value, but are not linked to 'good' and 'bad' as supposedly absolute standards, allegedly deciding that an action be 'right' or 'wrong'. The construction is then along these lines:

1. *Basis*

Axiom: Self-interest is ever decisive

Premise (from experience): People are approximately equally strong

2. *Corollary*

Definitional statement (claiming something about reason): Reason finds out what the laws of nature are

Theorems: the laws of nature

Premise (from experience): The laws of nature are observed

Definitional statement: The strength of the 'moral' concepts depends on their explanation of actual phenomena

3. *Additional premise* (from experience): The passions are more potent than reason

4. *Conclusion*: a political state (common-wealth) is necessary

Conclusion

In his realistic presentation of the human political condition, Hobbes makes it clear on what basis actions come about. A minimal explanation is provided, cleansed of any 'moral' elements, save those which Hobbes maintains in this guise, but in a specific sense. He thus puts forward a consistent account. It must be granted that the straightforward

ward analysis comes at the expense that it is somewhat shallow. Still, his analysis proves interesting and at times compelling and those intent on combating its core cannot simply dismiss it.

It is not a matter of chance that Hobbes's practical philosophy has been the topic of investigation; I have observed a number of parallels between his ideas and some of my own. I venture to claim that this has not interfered with an open interpretation in the sense that I have not molded his statements into something that can assuredly not be taken to represent his thoughts; that the danger that such a course of action would be taken is in Hobbes's case slight, as he is usually clear, was already mentioned in the introduction. I leave it to the reader's judgment whether some of the commentators on his philosophy have nonetheless fallen pray to said danger.

Literature

- D. Gauthier, *The Logic of Leviathan*. Oxford: Clarendon Press, 1969
- M. Harvey, 'Hobbes's Voluntarist Theory of Morals.' *Hobbes Studies* vol. 22 (2009): 49–69
- G. Herbert, 'The Non-normative Nature of Hobbesian Natural Law.' *Hobbes Studies* vol. 22 (2009): 3–28
(For Hobbes's works, the most recent editions have been used, having to rely on Molesworth's presentations (Latin and English) only for those works that have not yet been critically edited.)
- Th. Hobbes, *De Cive* (the English version), entitled in the first edition *Philosophicall Rudiments Concerning Government and Society*. Ed. by H. Warrender. Oxford: Clarendon Press, 1983
- Th. Hobbes, *De Cive* (the Latin version). Ed. by H. Warrender. Oxford: Clarendon Press, 1983
- Th. Hobbes, *De Corpore Politico: or the Elements of Law, Moral and Politic*. The English Works of Thomas Hobbes of Malmesbury, vol. 4. Ed. by W. Molesworth. London: John Bohr, 1840
- Th. Hobbes, *Elementorum Philosophiae. Sectio Prima: De Corpore*. Opera Philosophica, vol. 1. Ed. by W. Molesworth. London: John Bohr, 1839
- Th. Hobbes, *Leviathan*. Ed. by R. Tuck. Cambridge: Cambridge University Press, 2007
- D. Hume, *An Enquiry concerning Human Understanding*. Ed. by T. Beauchamp. Oxford: Clarendon Press, 2000
- C. Jolls, C. Sunstein, R. Thaler, 'A Behavioral Approach to Law and Economics.' *Stanford Law Review* vol. 50 (1998): 1471–1550
- F. McNeilly, 'Egoism in Hobbes.' *Philosophical Quarterly* vol. 16, no. 64 (July 1966): 193–206
- J.-J. Rousseau, *Du Contract Social; ou, Principes du Droit Politique*. Œuvres Complètes, vol 3. Geneva: Bibliothèque de la Pléiade, 1964
- B. Spinoza, *Ethica*. Opera, vol. 2. Ed. by C. Gebhardt. Heidelberg: Carl Winters Universitätsbuchhandlung, 1925
- B. Spinoza, *Renati Des Cartes Principiorum Philosophiae Pars I & II*. Opera, vol. 1. Ed. by C. Gebhardt. Heidelberg: Carl Winters Universitätsbuchhandlung, 1925

- L. Strauss, *Hobbes' politische Wissenschaft in ihrer Genesis*. Gesammelte Schriften, Band 3. Stuttgart/Weimar: J. B. Metzler, 2001
- A. Taylor, 'The Ethical Doctrine of Hobbes.' *Philosophy* vol. 13, no. 52 (October 1938): 406–424
- H. Warrender, *The Political Philosophy of Hobbes*. Oxford: Clarendon Press, 1957
- P. Zagorin, *Hobbes and the Law of Nature*. Princeton: Princeton University Press, 2009