THE ISSUE OF VALIDITY IN HOBBES'S MORAL AND POLITICAL PHILOSOPHY

Gary B. Herbert

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Abstract:

For whatever reason, scholars have recently reapproached the moral philosophy of Thomas Hobbes with a renewed interest in establishing its validity. Two influential interpretations have emerged, a theistic interpretation and a conceptualistic interpretation, the former by Howard Warrender in The Political Philosophy of Hobbes, and the latter by David Gauthier in The Logic of Leviathan.

Both Warrender and Gauthier maintain that Hobbes's egoistic psychology invalidates his moral theory, and undertake to rescue its formal validity by regrounding the theory on his theology, on the one hand, and on his methodological (rather than metaphysical) materialism, on the other. The result in both instances is a piecemeal analysis that dissolves the political realism for which Hobbes was famous, and ignores altogether the comprehensive intentions which he so carefully expressed. Hobbes takes on the appearance of something that might be best described as a pre-Kantian Kant.

The Issue of Validity in Hobbes's Moral and Political Philosophy

The recent renaissance of interest in the philosophy of Thomas Hobbes has led to the publication of a considerable number of studies dedicated, it seems, to the rehabilitation and validation of his thought. In spite of this—perhaps even because of it—it has become increasingly difficult to obtain a comprehensive, coherent grasp of his philosophy. Traditionally noted for its clarity and boldness, Hobbes's philosophy has acquired for its present—day readers a near protean capacity for appearing in an almost endless variety of forms and guises.

It was once a matter of orthodoxy that Hobbes was the most straightforward and most coherent representative of metaphysical materialism, having sought more rigorously than others to deduce the principles of human association solely from the principles of matter in motion. His intention was to produce a single, coherent system of philosophy—to be called The Elements of Philosophy—grounded upon the principles of natural science, and progressing systematically through the science of human nature (an egoistic psychology) to its culmination in the principles of political philosophy.

Most fundamental for comprehending Hobbes's program, I believe, is the philosophical setting that provided its impetus, i.e. his criticisms of the ancients, both pagan and Christian. The focal point of his criticism was the fact that the principles of order (both metaphysical and moral) were compromised by the fact that they took the form of "separated essences," inescapably removed from that which they were intended to order. Metaphysically, these problems have been known to philosophy as the problem of participation. Something quite similar to the problem of participation serves as the central issue of Hobbes's moral philosophy. Hobbes's systematic interests in a science of human motions were subordinate to his moral or political interests, i.e. his interest in producing a political theory that was realistic, one which possessed the causal efficacy of the geometric sciences. The principles of political order, like the principles that govern natural motions, must be "immanent" to be That is, they must be "natural". Because they effective. are not immanent causes of human actions, moral prescriptions and exhortations do not move men dependably. On the other hand, because it is an immanent cause of human actions, self-interest does move all thinking, i.e. all consistently "egoistic", men. Hobbes was understood to believe that a politics built upon the principles of self-interest,

radically extended into the future as foresight or prudence, would transform men into paragons of "protean" virtue, but virtue, nonetheless. The basest self-interest universalizes itself; when acted upon tenaciously it transforms itself into a concern for peace from which (when articulated as the first law of nature which commands peace) all the natural laws of man can be inferred.

This orthodox interpretation of Hobbes's philosophy has eroded today to the point that it has been all but abandoned. It is popularly argued that if one accepts the mechanisticmaterialistic interpretation of Hobbes's theory of nature, or again, if one accepts the egoistic interpretation of Hobbes's theory of human nature, then he must follow that up with a denial of either the importance or the explanatory force of either of these two elements of his philosophy for his moral philosophy. Hobbes is thought to have possessed a multiplicity of intentions and assumptions that are themselves not compatible. If one seeks to show that Hobbes's moral philosophy is an extension of the premises of a morally neutral, or disinterested, natural science, or again, that his moral philosophy is grounded upon a morally defective -because egoistic--psychology, then in each case the validity of the former will be affected by the validity of the latter. The peculiar character of Hobbes's natural philosophy and his psychology unavoidably discredit his moral philosophy.

The result of this critique has been that scholars have approached Hobbes's philosophy with a renewed interest in its validity. It is understood at the outset that mechanistic materialism, psychological egoism and moral obligation can never be systematically reconciled. There cannot be a single, unifying idea that would merge his thought into one logically coherent whole. But there might possibly be a single, unifying idea that could make the individual parts of his system independently intelligible. The discovery of such an idea has become the key to understanding Hobbes's philosophy. This, of course, involves one's entering into an interpretive affair that begins by abstracting from Hobbes's intent to be comprehensively systematic. One might be inclined to think that there is something philosophically questionable about such a procedure. Hobbes's interpreters today justify the procedure on the basis of its "academic neutrality."

Leviathan, in The English Works, ed. Sir William Molesworth (London: John Bohn, 1966), vol. iii, chapt. 12.

²Howard Warrender, The Political Philosophy of Hobbes: His Theory of Obligation (London: Oxford University Press, 1957), p. 1.

The most popular object of this renewed interest in the validity of Hobbes's philosophy has been his moral theory. Two approaches in particular have become prominent: the theistic and the conceptualistic interpretations represented most eloquently in Howard Warrender's The Political Philosophy of Hobbes: His Theory of Obligation (1957) and in David Gauthier's The Logic of Leviathan (1969). The two approaches have a great deal in common. The former might be thought of as the methodological parent of the latter. Together, these two approaches, and these two studies in particular, have had a considerable influence on recent Hobbes-scholarship. The difficulty with each is that while they shed considerable light on the segments of Hobbes's thought, they do so in abstraction from the intention that motivated Hobbes, himself. As a result, the light they shed persuasively dazzles and deceives the reader at the very same time that it illuminates.

The Theistic Interpretation

The first of these two studies, Howard Warrender's The Political Philosophy of Hobbes: His Theory of Obligation, is a more elaborate re-presentation of an idea originally suggested by A. E. Taylor in 1938. Disagreeing sharply with the traditional view of Hobbes's intent, Warrender-following Taylor--understands Hobbes to be a moralist, a kind of pre-Kantian Kant, who developed a deontological theory of morality founded upon certain aspects of the Christian tradition of natural law. Hobbes, from this view, is much less the innovator than he claimed to be, and less than he was given credit for being by both his contemporaries and those who followed.

The emphatic disagreement of Warrender's theistic interpretation with the traditional, or natural, interpretation of Hobbes emerges vividly with Warrender's disinclination to label as ironic and insincere Hobbes's theological statements and arguments. According to Warrender, raising the question of credibility subjects one's procedures to the great risk of arbitrarily and uncritically labelling anything that will not fit into one's own favored interpretation as an example of irony. For example, at the conclusion

³A. E. Taylor, "The Ethical Doctrine of Hobbes," <u>Philosophy</u> (1938); reprinted in <u>Hobbes Studies</u>, ed. Keith Brown (Cambridge, Mass.: Harvard University Press, 1956) and in <u>Hobbes's Leviathan</u>, ed. B. H. Baumrin (Belmont, California: Wadsworth Publishing Co., 1969), p. 35-48.

of Hobbes's discussion of the laws of nature, we are told that natural laws, when considered as rational principles, are not really laws, but only maxims of prudence. They are laws, properly speaking, only when they are understood to be commands of God. Hobbes's commentators have traditionally taken his statement about laws as Divine Command to be not entirely a product of sincerity but, rather, the result of prudential self-concern. Warrender has rejected this traditional interpretation on the grounds that it could not support a moral theory, and that Hobbes, in fact, has a moral theory.

This axiomatic rejection of the possibility that Hobbes intended to dissimulate, or to be ironic, when making theological assertions or when engaging in scriptural exegesis to corroborate the otherwise unbiblical truth of the political theories he proposed, not only places Warrender at the mercy of the literal text (which is indisputably littered with contradictions) but also runs hard aground on the unignorable fact that Hobbes, himself, maintained that most sober men constantly dissimulate in order to guard their own interests. 5 If Hobbes was not dissimulating when he wrote this, and if he knew what he was saying, then one would expect him to dissimulate when his own interests were at issue. Regardless of the difficulties that arise for the reader who advances on the assumption that the one whose work he is reading may not have been entirely candid in all that he has written, the a priori character of the procedure which seeks to avoid those difficulties by advancing on the opposite assumption is, philosophically speaking, naive.

Warrender's interpretation begins from the understanding that Hobbes wrote a serious theology. It is his idea that if one does not reject Hobbes's theology but, rather, considers it an integral part of his system, the key is supplied by which Hobbes's moral philosophy may be rendered coherent and the otherwise irreconcilable opposition of his ethics reconciled.

Establishing his thesis requires that Warrender discredit the old view that Hobbes's moral theory is founded upon an egoistic psychology. The difficulty of the old view resides in the fact that moral obligation, in the sense given it by contemporary philosophy, cannot be generated from egoistic self-concern. Reference is made to Hobbes's statements

⁴Leviathan, Part I, chapt. 3, p. 14-16.

⁵Cf. <u>Leviathan</u>, Part I, chapt. 8, p. 64; cf. also chapt. 8, p. 59.

that "the laws of nature are 'contrary to our natural passions'," and that "where liberty ceaseth, there obligation sions'," and that "where liberty ceaseth, there obligation begins." Warrender writes, "The theory of rights, in the sense of freedoms from obligation, cannot be deduced from the theory of duties thought it is related to it. From a catalogue of duties, we can only infer what are not duties; we cannot find rights. Likewise, a negative inference from rights, would only give what may be duties, and not what are duties. Rights and duties, therefore, have separate theories.

By this argument Warrender establishes to his satisfaction a conceptual distinction between right (i.e. selfconcern) and obligation (other-concern), enabling him to contend that there exists, therefore, a sharp division between Hobbes's psychology and his moral theory. Where the content of two disciplines is entirely distinct, the disciplines themselves must be distinct. No longer can it be argued that Hobbes's moral philosophy is founded upon--or founders upon -- the essentially psychological concept of right.

Warrender's distinction, however, is hardly justified by the argument he makes for it. He takes the statement "liberty ceaseth where obligation begins to mean that to assume an obligation is to surrender one's right. The antithesis he offers is a subclass of the distinction between freedom and determinism. Hobbes, however, does not see the problem of freedom and determinism in this light; freedom and determinism are, he maintains, compatible. They even implicate one another. Likewise right and obligation are not antithetically related phenomena. They are, rather, different (i.e. contrary) modes of the same condition. Law, and the obligations that law superimposes upon men, are not limitations upon man's natural rights and liberties but are, instead, their rational expression. They are, in short, "contraries". The effort to guarantee one's rights, independently of the transformation that right undergoes in the process of recognition that is at the basis of contractual reciprocity, leads to conflict, i.e. to war, and therefore to the frustration of the effort to guarantee rights. Right, in the natural condition, is self-contradictory; and the internal instability of the concept dialectically demands

⁶Leviathan, Part II, chapt. 27, p. 153; Warrender, p. 114, 275.

⁷ De Cive, vol. iii, chapt. 2, art. 10, p. 21.
8 Warrender, p. 25-26.

⁹Cf. Hobbes's <u>Of Liberty and Necessity</u>, vol. iv.

a resolution, i.e. its restatement as obligation. Warrender's insensitivity to this dynamic process interior to Hobbes's theory is a rather specific instance of his general program to abstract from Hobbes's systematic and comprehensive intentions. It reflects, I believe, a peculiarly contemporary preference for analytically-induced "differences" wherever possible.

The liberation of Hobbes's moral theory from his psychology makes possible the examination of its formal validity independent of the rest of the entire corpus of Hobbes's writings. Warrender's study proceeds on the basis that this liberation is a valid one. He holds that "there is a single and consistent theory of obligation which runs through the whole of Hobbes's doctrine, "10 and more, that "the system of obligations ends with the obligation to obey natural law regarded as the will of God."11 The failure of traditional interpretations to take Hobbes's theology seriously has had the effect, he maintains, of destroying the validity of his moral philosophy.

A difficulty that Warrender acknowledges he must overcome is Hobbes's apparent claim that we are <u>not</u> obliged to obey God's commands all the time. In the state of nature, Hobbes's natural laws oblige, we are told, "<u>in foro interno</u>," that is, in conscience, but <u>not</u> "<u>in foro externo</u>," or in fact. 12

Natural man, that is to say, is exempt from the <u>actual</u> obligation to obey Divine Dictate.

Warrender responds by noting that according to Hobbes the obligatory character of moral law does extend throughout the state of nature "in foro interno." And, the very possibility of obligation of conscience in the state of nature depends upon the presence of its sufficient cause, namely, God. "It is thus at least a part if not the total requirement for a law to be a law, and hence to oblige, that it be the command of an author whom the subject of the obligation is previously obliged to obey." 13

We are obliged to God, the author of law, because he has commanded us. This is Warrender's claim. However, Hobbes himself maintains very clearly that command obliges not because it is couched in the imperative mode of address but,

¹⁰Warrender, p. 58.

¹¹Warrender, p. 213; Cf. also p. 232.

¹²Warrender, p. 52; Cf. Leviathan, chapt. 15, p. 145.

¹³Warrender, p. 97; Cf. also p. 6, 41.

rather, because of the frightening power of him who commands. Interestingly, Warrender seems to accept this qualification, perhaps without realizing its implications. He writes, "The obligation to obey God in his natural kingdom, based upon fear of divine power is, we shall contend, the normal meaning of the term in Hobbes's doctrine."14

This point is made briefly and without elaboration by Warrender. It is, however, crucial, insofar as it undercuts the distinction between psychology and moral theory that he has so carefully endeavored to make.

"in foro interno" universally imperative. However, its external applicability, we are told, requires a catalyst, certain "validating conditions," pecifically, "security and belief in God." It would seem that Warrender's argument is that we are obliged "in foro externo"—that is, are actually obliged—to actively obey the laws of nature only when we, as believers, if we are believers, find it safe to do so! Here, in this theory of Hobbes's "validating conditions," Warrender claims to have accomplished the reunification of Hobbes's psychology and his moral theory without allowing the psychological or "validating" concepts to influence, i.e. discredit, the formal validity of his moral theory. That, of course, is not at all what he has done, as has been indicated above concerning Warrender's reintroduction of fear into the moral argument.

Warrender's theory, then, is this: obligation results from our fear of Divine Power and from the universal imperative that derives its authority from that fear. However, obedience to God is contingent, suspended in the presence of our fear of the intentions of our neighbors, the suspicion that they may have a less than benevolent interest in our well-being. Paradoxically, we must infer from this that man's fear of his neighbor's power is greater than his fear of Divine Omnipotence. This, of course, is precisely what Hobbes says. Fear of other men is greater because, unlike God, men are "visible" threats. It is a fear that is unconditional; it cannot waver. The fear of God, on the other hand, is a fear of an "invisible spirit"; it does not presuppose or require the existence of God, and so is undepen-

¹⁴Warrender, p. 10.

¹⁵warrender, p. 15.

¹⁶Warrender, p. 23.

¹⁷Leviathan, chapt. 14, p. 129.

dable among "enlightened" men.

Warrender argues that in the absence of the fear of our fellow man, the natural fear of Divine Power is free to reassert itself. Fear of neighbors is eradicated, or at least mitigated, through the agency of the social contract and by the continued maintenance of order by the authority of the sovereign, whose office is constituted by the social contract. The efficacy of the sovereign power in stilling our fears is, then, a validating condition of the Divine Imperative. Warrender does not reflect on the fact that, according to Hobbes, our fear of our fellow men is transferred to the sovereign who, since he is constituted by the contract, cannot be a party to the contract and, therefore, cannot be That is, our fear of physical inobliged by the contract. jury at the hands of another mortal is not erased by the generation of the social contract. It is on the basis of this fact that the intelligibility of Hobbes's political philosophy depends. And, it is on the failure to see that fact that Warrender's theory proceeds.

Warrender maintains, then, that our obligations to the sovereign depend upon a prior obligation to God, without which there would be no universal law applicable "in foro interno." So, then, the politically prior obligation to obey the sovereign validates the metaphysically prior obligation to obey God which, in turn, serves as the reciprocal origin of the validity of moral obligation. Both political security and belief in God are the necessary validating conditions of obligatory relationships, leaving, it would appear, both the politically insecure and all unbelievers without valid moral restraint. For, without such universal obligation, we are told, man would not be driven by his conscience to seek peace.

One is inclined to argue against Warrender that not only is the concept of Divine Obligation unnecessary to the rational deduction of man's duty to obey natural law; it might even with justification be said to obviate the deduction. This is certainly true if Hobbes's natural laws are understood, as it is sometimes suggested, to be "counsels," or prudential suggestions that one ought, to the extent that he is able, to establish the conditions which are conducive to his preservation. Zealots are inclined to let their convictions conceal their personal well-being.

Hobbes argued rather adamantly that the chief perpetrators of civil strife are, in fact, those secure Christian believers who dogmatically and vaingloriously claim divine prerogative of judgment in matters of political concern. It is no accident that Hobbes writes, "If fear of spirits were taken away . . . men would be much more vitted. . . for civil obedience." 18

¹⁸ Leviathan, chapt. 2, p. 10.

Hobbes was well aware that dogmatic belief, when made the principle of action, promotes excessive political idealism which, in turn, begets contention between idealists and their ideological opponents. So then, it would appear that Warrender's two validating conditions are themselves in conflict! When belief in God is exclusive of a prudential concern for political security, obligations are validated and correlative modes of action are evoked which are frequently mutually exclusive.

If this is correct, then the need to validate moral obligation by appealing to Divine Imperative commits Hobbes to a moral <u>idealism</u> which he had himself condemned in the philosophy of the ancients.

Warrender avoids this problem by blurring the difference between man's motivation to obey God and his motivation to act with civility toward his fellow man. And he does this by still again blurring the distinction between self-preservation and salvation. He writes, "Men do not disagree in all things which are to be called good or evil; they agree in regarding salvation or self-preservation as their summum bonum and death or ultimate destruction as their summum malum.19

We are given no clue as to whether Warrender means the phrase "salvation or self-preservation" in this statement disjunctively or equivalently. Hobbes himself speaks of self-preservation, with no indication that he would associate self-preservation with salvation. Warrender, however, drops "self-preservation" in the discussion that follows this statement in favor of "salvation" as the objective that represents man's highest good. He shifts from an emphasis on life-simpliciter to an emphasis on life-after-death. The obvious implication of Warrender's analysis is that Hobbes's idea of man's primary concern is other-worldly, i.e. salvation, rather than this-worldly. Such an interpretation, however, could not be supported by any reasonable rendering of Hobbes's text.20

Furthermore, it is not simply preservation of life that is for Hobbes man's <u>summum</u> <u>bonum</u>, if we may use that term. Rather, it is felicity; it is the good life. Preservation is no more than the minimally necessary condition of that good life. That the good life—ongoing prosperity in this life's most pleasant activities, unending success in "over-

¹⁹Warrender, p. 164.

²⁰Cf. Leviathan, chapt. 17, p. 153; also <u>The Elements of</u> Law, vol. iv, p. 68, 128.

coming"--and not life-simpliciter is man's <u>summum</u> <u>bonum</u> is declared by Hobbes with utter clarity.²¹

There also remains for Warrender the not inconsiderable difficulty of determining how man comes to know the content of Divine Command. We are told that while the validity of the obligation due God derives from man's fear of Divine Power, the knowledge of God as the author of law, plus man's knowledge of the laws themselves, arrives through man's use of reason. Warrender writes, "The author of the laws of nature, God, like the laws themselves, may be known by the use of reason, and although our knowledge of God by reason is incomplete, it is sufficient to oblige us to his commands. Hobbes seems to have taken the view that by reflection on the causal sequences of our experiences, we may come to the notion of an all-powerful first cause.²²

Warrender's view, then, is that, for Hobbes, God is sufficiently comprehensible to make possible the revelation of his commands as laws. There is no basis for this in Hobbes's writings, however. Belief in God's existence is, at best, understood by Hobbes as the product of man's "acknowledgment."23 It is never argued to be the result of a disclosure. Hobbes writes, "It is impossible to make any profound inquiry into natural causes without being inclined thereby to believe there is one God eternal, though they cannot have any idea of him in their mind answerable to his nature.24

Men are "inclined"—no more than this—to believe in God. And this is not because of rationally acquired evidence. Men are physiologically unprepared for such evidence. Human thought is unavoidably finite. And because men are predisposed by nature to measure all other things by themselves, taking themselves as the standard of measurement, and further, "because they find themselves subject after motion to pain and lassitude, (they) think everything else grows weary of motion and seeks repose of its own accord. . "25 Men, in short, are not especially good measures; they tend to deceive themselves as they weary. In De Corpore, Hobbes indicates the nature of this inclination to believe, explaining that the curiosity of the human intellect inevitably exhausts itself in the pursuit of remote or first causes.

²¹ Cf. Leviathan, chapt. 11.

²²warrender, p. 81-82.

²³Leviathan, chapt. 12, p. 95.

²⁴ Leviathan, chapt. 12, p. 95.

²⁵Leviathan, chapt. 2, p. 4.

Men "weary", finally "giving over" to the thought that such a cause <u>must</u> exist.²⁶ In short, it is the general inclination to <u>intellectual</u> fatigue and the self-deception it induces that is, for Hobbes, the condition which tends to guide man's more "serious" thought, especially his belief in and knowledge of God.

In the end, it seems, Warrender's interpretation of Hobbes's moral philosophy is inspired largely by his own sympathy towards an idea of moral action that is alien to Hobbes's own philosophy. He is, I believe, predisposed to see moral philosophy as necessarily altruistic or selflessly other-directed, understanding egoism, or self-interest, to be symptomatic of the paralysis of moral theory. So far is he predisposed in this direction that he can write, "Hobbes says so much about self-preservation that it is easily regarded as being central in his theory of obligation. This is so far from being the case that it is not a part of that theory as such, but an empirical postulate employed in its application."27

Warrender contends that Hobbes's philosophy contains a truly moral theory which is valid only if one takes his theology seriously and relegates such "psychological" concepts as self-preservation to the status of "validating conditions." In effect, Warrender--in the process of trying to coherently articulate Hobbes's moral theory--eradicates anything remotely realistic about it.

Throughout history, realism has not been the particular virtue of the greatest majority of moral systems, precisely because their principles have been left subject to a variety of validating conditions. Men are seldom moved dramatically by unadorned moral exhortation. In this regard, Hobbes wrote, "Unjust is the name of the far greater part of men." 28

The necessary condition of the moral efficacy of Warrender's Hobbes is the cultural presence of a strong religious belief. And, though the persuasiveness of Warrender's theory is certainly given impetus by the fact that Hobbes wrote so voluminously on religious matters, nonetheless, if we consider the problems that would arise for a person writing on controversial issues in an atmosphere of persecution—both religious and political—we cannot but suspect that his writings may involve considerable dissimulation. For, it remains axiomatic to Hobbes's philosophy that neither

^{26&}lt;u>De</u> <u>Corpore</u>, vol. 1, chapt. 26, art. 1, p. 412.

²⁷ Warrender, p. 93.

²⁸ The Elements of Law, chapt. 5, art. 10, p. 24.

law nor the obligations it imposes can be particularly effective where individual interests and obligations clash. A realistic political philosophy requires that interest and obligations coalesce. The achievement of this unification was Hobbes's very project. A valid but ineffective theory of moral obligation, resting on the conviction that such unification is impossible, was precisely the kind of thing that Hobbes spent his life refuting as a form of "vain philosophy." It is ironic now that it is just this that is attributed to him.

The Conceptualist Interpretation

Still another school of thought has gained considerable support in recent years. This school—the principal representative of which is David Gauthier with his work, The Logic of Leviathan—has shunned the emphasis on Hobbes's theology that is basic to Warrender's interpretation. Nonetheless, it follows in the footsteps of the Warrender interpretation insofar as it has rejected Hobbes's egoistic psychology, adopting Warrender's essentially Kantian approach to the nature of moral and political issues.

Having rejected both the psychological and the theological elements of Hobbes's thought as the basis of a valid theory of obligation, Gauthier has returned, in a sense, to the traditional, naturalistic interpretation of Hobbes, but with qualifications. Gauthier has adopted the materialistic thesis, but has rejected its metaphysical status, claiming that Hobbes's materialism is methodological rather than metaphysical.²⁹

The basics of Gauthier's claim are stated succinctly by J. W. N. Watkins, who, generally speaking, shares Gauthier's perspective. Watkins writes, "Hobbes was a mechanical philosopher before the main lines of his political doctrines were fixed, and his early philosophizing spilt over into this political theorizing." 30

Stated in this way, it becomes clear that this conceptualist interpretation is not only a rejection of the metaphysical

²⁹David Gauthier, <u>The Logic of Leviathan</u> (Oxford: Clarendon Press, 1969), p. 2; "Hobbes is a methodological mechanist. He seeks to construct a unified science, proceeding from a study of body in general to a study of that particular body, man, and then to a study of man-made artificial bodies."

³⁰J. W. N. Watkins, <u>Hobbes's System of Ideas</u> (New York: Hillary House, 1965), p. 29.

approach (which encompasses both the theological and the naturalistic accounts of his philosophy) but also a rejection of the non-metaphysical, "humanist" interpretation first stated in 1886 by G. C. Robertson, and made fundamental to an interpretation some years later (1936) by Leo Strauss. In the argument made by Robertson and Strauss is that Hobbes's essentially "humanist" thoughts preceded and were primarily responsible for the main lines of his scientific thinking. The disagreement between this "humanist" interpretation and Gauthier's "conceptualist" interpretation is fundamental. The unqualified rejection of the humanist interpretation of Hobbes is indicative of the quasi-natural, essentially "formal" approach to the issues of political and moral philosophy in general today.

The conceptualist interpretation focuses on Hobbes's adoption of Galileo's resolutive-compositive method, ³² a method which by its very structure implies fixed limits to the possibilities of human knowledge. The method "entails that there can be no philosophical knowledge of anything ingenerable," ³³ and therefore is itself inherently anti-metaphysical, ³⁴ since metaphysical entities cannot be understood to be products of generative process.

It is suggested that the innately anti-metaphysical prejudices of Hobbes's method, when employed to investigate matters of natural science, strongly suggested to him the rejection of the traditional doctrine of species and the related theory of action at a distance, and led him, instead, to a materialistic, mechanistic view of nature which follows the Galilean laws of the uniformity of natural motion. According to Hobbes, "The variety of all figure arises out of the variety of those motions by which they are made; and motion cannot be understood to have any other cause beside motion."³⁵

Implicitly, all change, quantitative and qualitative, involves motion, since a material body can be acted upon only by another material body, which cannot act at all unless in motion. Motion, then, becomes for Hobbes, in Gauthier's

³¹ George Croom Robertson, Hobbes (Edinburgh: William Blackwood and Sons, 1886); Leo Strauss, The Political Philosophy of Thomas Hobbes (Chicago: The University of Chicago Press, 1936).

^{32&}lt;u>De Corpore</u>, chapt. 6, art. 1, p. 66.

³³ Watkins, p. 68.

³⁴Cf. <u>De</u> <u>Corpore</u>, chapt. 1, art. 8, p. 10-11.

^{35&}lt;u>De Corpore</u>, chapt. 6, art. 5, p. 69-70.

terms, "the conceptual key to the understanding of all reality." Individual wholes are first resolved into those causes which, in conformity with the laws of local motion, might account for them, and then are recomposed founded upon the laws of motion. With motion as the conceptual base of knowledge, explanations for all natural occurrences become possible.

With his natural philosophy and its methodology as a paradigm, the conceptualist school focuses upon Hobbes's moral and political philosophy, asking what "motions" would necessarily be involved in the generation of moral obligation. Following the methodological paradigm of his mechanics, we are told, Hobbes sought knowledge of the principles of political association by resolving the political entity into its generative motions. The original motion responsible for the generation of the commonwealth was found by Hobbes to be the act by which men learn to contract with one another and to assume moral obligations.

The measure of Hobbes's success in demonstrating the generation of commonwealth from the act of contract and, at the same time, the exhibition of contract as the true generic cause of moral obligation and action, was the degree to which he could show that contracting systematically accounts for the assumption and fulfillment of moral obligation. Whether or not he is capable of showing this determines whether his was a "truly moral philosophy."37

Fundamental to this interpretation is the conviction that a truly moral philosophy is one which contains a notion of moral obligation that is neither prudential nor conditional. Prudential self-concern generates no unconditional "ought". Its commands are always subordinate to the demands of one's own health and welfare. Traditionally, Hobbes's philosophy has been understood to fall into this category of moral philosophy. Self-concern was understood to be, for Hobbes, that which generates a caution in man that makes him politically responsible, willing to compromise and cooperate, and therefore, capable of living in peace with his fellow man. If this is correct, then, from the conceptualist view of moral philosophy, Hobbes must be said to have had no moral philosophy at all.

Following Warrender, Gauthier has begun with the conviction that Hobbes's political philosophy is predominantly a moral philosophy. Oddly enough, he follows Warrender, too,

 $^{^{36}}$ Gauthier, p. 2; Cf. also Watkins, p. 43, 69. 37 Gauthier, p. 98.

in making this claim without denying altogether the opposition of moral and political motivations (in Warrender's terms, the principles of moral obligation and their validating conditions). Gauthier's argument is only this—that if Hobbes's political philosophy can be said to contain a valid moral theory, then it must be possible to formulate that theory systematically, to show that obligation follows with logical necessity from its premises.

It ought to be mentioned that "the logic of <u>Leviathan</u>" is abstracted by Gauthier by picking and choosing passages from not only <u>Leviathan</u>, but also <u>De Cive</u>, without considering their possible differences. In fact, without <u>De Cive</u>, Gauthier's argument might not have been able to be made.

Without arguing for **er** defending the claim, Gauthier introduces his study of Hobbes with the observation that, "Hobbes introduces human rationality, as manifest in action, only when he reaches that stage in his argument at which reason and passion diverge—only when he begins to consider how man can rationally escape from the impasse created by his passionate nature." 20

The argument being made is that there is, indeed, a logically valid moral theory in Hobbes's philosophy which can be liberated from his egoistic psychology in a manner comparable, in fact, to this school's liberation of Hobbes's natural philosophy from his metaphysics. Representative of this view is a statement made by F. S. McNeilly who, in his The Anatomy of Leviathan, offers largely the same interpretation as that made by Gauthier. He writes, "When the notion of the fear of death is removed from the argument, what is left is a formal system of demonstrated propositions; and the laws of nature, and their consequences, can be presented as necessarily true propositions."

Painstakingly, the logically valid formal structure of Hobbes's argument is "abstracted," both by McNeilly and by Gauthier in their respective works. In each case, the project focuses principally upon establishing the fact that the argument of Leviathan is not basically egoistic. 40 Actually, it is not denied that Leviathan is egoistic. McNeilly, for example, admits readily that "there are passages in Leviathan in which an egoistic view is quite clearly expressed."41 How-

³⁸ Gauthier, p. 35

³⁹F. S. McNeilly, The Anatomy of Leviathan (London: Macmillan & Co., 1968), p. 96, 149.

⁴⁰ McNeilly, p. 100; Cf. Gauthier, p. 8, 33.

⁴¹ McNeilly, p. 127.

ever, such passages are said merely to represent vestigal remains of Hobbes's earliest and most immature philosophy, e.g. of The Elements of Law (1640). Likewise, his later thought, i.e. that of <u>De Corpore</u> (1655) is acknowledged to be unmistakably egoistic. The rather presumptuous sounding theory, then, is that Hobbes's early and late thought are unambiguously egoistic, while his mature, or middle, thought-though often expressed in unmistakably egoistic terms--is not egoistic. The suspicious evolution in Hobbes's thought that is the consequence of this theory is made more conceivable by McNeilly's reference to the claim that De Corpore, published four years after Leviathan, was actually begun in the early 1640's, much before Leviathan.43 There has been persuasive support among Hobbes's scholars for this claim, and it has the virtue of supplying McNeilly's thesis with a logically respectable argument for the historical continuity of Hobbes's thought. It does nothing else, however, to support the claim that Hobbes's argument is not egoistic.

Gauthier's argument attempts more carefully to make and support the conceptualist interpretation of Hobbes's moral argument. He goes through several rather elaborate steps to lay its formal foundation, beginning with the division of Hobbes's principal psychological concepts into their formal and material elements. The formal-material distinction is fundamental. Gauthier tells us that the failure to draw the distinction between the material and formal meanings of Hobbes's psychological concepts "is one of the principal sources of the dispute about the relevance of his psychology to his ethics." His intent is to show that Hobbes's moral philosophy is formally valid, but that it is also materially invalid because of a material (not a formal) dependency upon psychological motivation.

Gauthier introduces his material-formal distinction with an analysis of Hobbes's concept of the right of nature, quoting Hobbes's definition in <u>Leviathan</u>, which reads, "The Right of Nature, which writers commonly call <u>jus naturale</u>, 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 any thing, which in his own judgment, and reason, he shall conceive to be the aptest means thereunto."

⁴² McNeilly, p. 106-110.

⁴³Cf. Frithiof Brandt, Thomas Hobbes' Mechanical Conception of Nature (Copenhagen, 1927, p. 170 ff.

⁴⁴Gauthier, p. 8

⁴⁵ Gauthier, p. 30; <u>Leviathan</u>, chapt. 14, p. 116.

With this statement as his guide, Gauthier reformulates Hobbes's definition, extracting what we are told is its simple equivalence: "A has the right to do X = A may do X."46 One must augment this simple equivalence of the right of nature, Gauthier maintains, by adding the word "initially" for reference to the state of nature (i.e. one may initially do X, that is, prior to his entrance into civil society), and the phrase "for the preservation of his own nature" to indicate the important, but suppressed, reference to self-preservation that goes with the definition. Gauthier's reason for assuming the conceptual detachability of preservation from right is that the reference to preservation would commit Hobbes to denying the natural right to perform any "initially permissible" action that was not directly concerned with preservation; and this right, he says, surely not even Hobbes would want to deny. 47

The detachability has the effect of introducing several productive (but unwarranted) assumptions. The first is that the right of nature can be understood generally, i.e. apart from the notion of preservation. The phrase "A may do X" implies an unlimited prerogative, an unqualified and undirected <u>élan</u> which its human possessor may direct to the various objects of his desire, a kind of natural right to the pursuit of happiness. This ignores the inherently relational character of Hobbesian right, however, the impossibility of understanding right apart from preservation in the philosophically complex way that Hobbes uses the term. The issue is not confused by the fact that Hobbes says the inability of one to know what is essential for his preservation has the effect of making every act potentially his natural right. The right of each to all is still no more than a defective mode of the right of each to his own preservation, stretched to the point of rupture when tested by the nearsightedness of human ignorance.

Associated with Gauthier's interpretation of the right of nature is his assumption that the right to perform "initially permissible" acts in the state of nature is suspended as man enters civil society. This has been the accepted, rather conventional interpretation placed upon Hobbes's idea of the alienation of right. Nevertheless, it is inadequate. Hobbes is unequivocal in his insistence that the right of nature is inalienable, that man carries the right even into and beyond civil society, that, in fact, the force of nature is the very principle by which civil society is constituted and according to which it operates. Natural right is sub-

⁴⁶ Gauthier, p. 31. 47 Gauthier, p. 32.

limated in and extended by civil law. All that is surrendered as one enters civil society is his right (if, indeed, it can be called that) to misjudge, out of ignorance, the prerequisites of one's security.

To support his claim for the separation of right (or liberty) and preservation, Gauthier quotes Hobbes's state-ment, "liberty ceaseth where obligation begins," 48 meaning presumably that to assume obligation is to surrender one's Once again, Gauthier is here following in the footsteps of Warrender, appealing to this passage as the key to making necessary conceptual discriminations. However, liberty ceases with the assumption of obligation for Hobbes not because liberty and obligation are logical opposites, but because they are different modes of the same condition. They are, that is to say, mutually exclusive without being contradictory. Law and the obligations it imposes extend rather than limit man's natural rights and liberties. This is the substance of Hobbes's "realism", the basis for a realist necessity in assuming moral obligations. If Gauthier's conceptualist interpretation is to be made consistently, however, it is an element of Hobbes's philosophy that must be abandoned.

Gauthier makes use of his reformulation of Hobbes's concept of right ("A may do X") as a middle term, to logically jar loose a wholly formal expression of the right of nature. From the premises "A has the natural right to do X = A may do X" and "A may do X = A doing X is in accordance with (right) reason,"50 the latter extracted by redefinition, again, from this statement in Hobbes's De Cive (not Leviathan): "But that which is not contrary to right reason, that all men account to be done justly, and with right. Neither by the word right is anything else signified, than that liberty which every man hath to make use of his natural faculties according to right reason,"51 Gauthier syllogistically derives the formal conclusion, "A has the natural right to do X = A doing X is in accordance with (right) reason."52

This formal expression of Hobbes's psychological concept of right is combined, then, with Gauthier's formal equivalent of Hobbes's concept of natural law, also found in

⁴⁸ Gauthier, p. 65; Cf. The Elements of Law, part 2, chapt. 2, art. 9, p. 91.

⁴⁹ Leviathan, p. 33, p. 197 ff.; Elements of Law, p. 261 ff., p. 275 ff.

⁵⁰Gauthier, p. 32.

⁵¹ Gauthier, p. 32; <u>De Cive</u>, chapt. 1, art. 7, p. 8-9.

⁵² Gauthier, p. 33

De Cive (not Leviathan):

But since all do grant, that is done by right, which is not done against reason, we ought to judge those actions only wrong, which are repugnant to right reason, that is, which contradict some certain truth collected by right reasoning from true principles. But that which is done wrong, we say it is done against some law. Therefore true reason is a certain law; which, since it is no less a part of human nature, than any other faculty or affection of the mind, is also termed natural. Therefore the law of nature, that I may define it, is the dictate of right reason, conversant about those things which are either to be done or omitted for the constant preservation of life and members, as much as in us lies.53

Out of this passage, Gauthier extracts the forma equivalent, "X is contrary to the laws of nature = Doing X is contrary to (right) reason."54

Together, the formal redefinitions of Hobbes's concept of natural right and natural law combine to provide a logically formal structure of his moral theory, i.e. "the formal relationship between the concepts of the right of nature and the laws of nature."55

The defect of the analysis, according to Gauthier, is also its virtue. "Why obligations are imposed—why men restrict their rights—is a question falling within the material part of Hobbes's theory." That is to say, one may expose the morally valid, logical framework of Hobbes's moral theory; but to make it work requires the material (i.e. egoistic or prudential) foundations that Hobbes supplies in his psychology, 57 but which simultaneously limit or deny the specifically "moral" character of his theory.

However, Gauthier explains that though the grounds on which we oblige ourselves are prudential, the subsequent

⁵³Gauthier, p. 36; <u>De Cive</u>, chapt. 2, art. 1, p. 15-16.

⁵⁴Gauthier, p. 36.

⁵⁵Gauthier, p. 39.

⁵⁶Gauthier, p. 40-41.

⁵⁷In this, Gauthier disagrees with McNeilly and Michael Oakeshott, cf. his "Introduction," in <u>Leviathan</u> (London: Blackwell, 1946), who maintain that natural laws oblige simply because they are rational precepts.

moral theory which underlies that obligation is not necessarily thereby jeopardized. Whether or not a theory is truly moral depends upon an answer to the question regarding the nature of the grounds for fulfilling an obligation. Gauthier writes, "If I borrow money from you, I have not only a legal but also a moral obligation to repay you, whether I borrow the money to contribute to the relief of starving children or to take a holiday in Mexico. Indeed, the moral obligation is, if anything, more stringent in the latter case than in the former.

What the justification is for Gauthier's distinction between more and less stringent moral obligation in these two cases is not especially clear. He does not defend the distinction; it is not clear that it is defendable on the basis of the argument that he makes. Furthermore, the prior distinction between legal and moral obligation that Gauthier makes is no less than a restatement of his distinction between material and formal obligation. Obligation (i.e. moral, or formal) exists even where the obligation to fulfill obligations (i.e. legal or material) does not! The former, we are asked to believe, is categorical, whereas the latter is (This recalls to mind Warrender's "validating conditions.") There are, as Gauthier is ready to admit, only prudential or conditional reasons for fulfilling obligations. And it is here that the relevance of Hobbes's psychology to his ethics becomes, for Gauthier, apparent. The reasonableness of assuming an obligation has nothing to do with (not to speak of being able to assure) the reasonableness of fulfilling an obligation.

This distinction, which Gauthier claims to have found in Hobbes's writings, is incomprehensible if set against Hobbes's statements regarding his intent in writing De Cive and Leviathan. But, then, it is not contrary to Gauthier's intent for it to seem such. Commenting upon a lengthy passage from Leviathan in which Hobbes discusses the problem of the contracting "fool",59 Gauthier, by applying the methodologically dictated distinction above, transforms Hobbes's moral theory into philosophical nonsense. He writes,

If I make a covenant, then it would be unjust, and contrary to obligation, to break it. But if it is to my advantage, then it cannot be contrary to reason. And so the third law of nature is not a precept of reason. Neither obligation nor justice need accord with reason.

⁵⁸ Gauthier, p. 93
59 Leviathan, chapt. 15, p. 132-133.

But there is worse to come. What I do with reason, I do with right. If reason dictates the breaking of covenant, showing it to be to my benefit, then I must have the right to do what is contrary to the covenant. But in making the covenant I renounced that right. Therefore I have the right to do what I have renounced the right to do—I have the right to do what I have an obligation not to do.60

Hobbes maintains that the long-term effects of a violation of contract must, except in the most extreme circumstances, be expected to be sufficiently adverse to outweigh any short-term benefits. Gauthier rejects Hobbes's claim. He writes, "It seems simply false to maintain that a man can never expect breach of covenant to be conducive to his preservation."61 That is to say, wholly rational grounds for fulfilling obligations are not sufficient to justify, and so to promote, the fulfillment of that obligation. Though a man may enter into a covenant, his initial actions do not guarantee his ultimate adherence to that covenant. To this effect, Gauthier respectfully quotes Hobbes's statement that "Covenants without the sword, are but words, and of no strength to secure a man at all."62 He concludes from this that, "The Hobbesian 'moral' system is nothing more than a system of common, or universal, prudence. . . It is only the fact that men are necessarily bent on their own preservation, or more generally on their own advantage, that prevents us from classifying Hobbes's system as moral. In this way his psychology is not only relevant to, but destructive of, his ethics."53

The logical form of Hobbes's moral theory has been found to be sufficient to consider him to have a valid moral philosophy. The content of that theory—his psychology—nevertheless negates its <u>real</u> validity (whatever that would be).

The best we can say of Hobbes's system from this view is that it generates only prudential obligations, and that the natural laws which promote these obligations are counsels for the benefit of the individual contractors, or better yet, because they are the necessary conclusions of reason, are "prescriptions." In this, Gauthier basically agrees with J. W. N. Watkins' contention that Hobbes's laws are prescrip-

⁶⁰ Gauthier, p. 62.

⁶¹ Gauthier, p. 87.

⁶² Gauthier, p. 76, 88; <u>Leviathan</u>, chapt. 17, p. 154.

⁶³Gauthier, p. 98.

⁶⁴Gauthier, p. 69.

tions, "like doctor's orders," 65 comparable to the Kantian assertoric hypothetical imperative.66

The principal difficulty with this view of Hobbes's concept of law is the fact that the end which a natural law serves, according to Hobbes, is not an actual, i.e. empirically ordained or contingent, end which men may find to be to their disadvantage to pursue, but rather, is an innate, wholly irresistible end, the motivation for which is found "even in the embryo." And, even more, it is the only end of human actions, in the sense that the decision to do or to avoid any particular act ultimately (though perhaps not immediately) turns on the matter of whether it will contribute at least to my preservation if not to the augmentation of my well-being. Life is a process of overcoming which, when successful, leaves man in a state of "felicity".

The same point made negatively is that the view under consideration generally labors under the impression that, for Hobbes, "the laws of nature, appealing to the reason of all men, require men to limit their natural right." Laws in some sense certainly do limit and censor the self-destructive expression or expansion of rights. But to say only this is to fail to see the revolutionary uniqueness of Hobbes's theory. This assessment fails to be sufficiently sensitive to the realistic innovation that Hobbes introduces into the tradition of moral or political philosophy. Natural right is not repressed, according to Hobbes, but rather, is sublimated in and, ultimately, expressed as law and obligation. Motive and obligation, and therefore right and law, are in the end modes of the same innate will to survive and prosper. The consequence is a spontaneous and self-generating morality, genuinely unique in the history of philosophy. 69

⁶⁵Watkins, p. 76.

⁶⁶ Watkins, p. 83

⁶⁷De Corpore, part iv, chapt. 25, p. 407.

⁶⁸ Gauthier, p. 90. Kant distinguished two forms of imperative, the categorical (which unconditionally prescribes moral actions) and the hypothetical (which prescribes actions as means to a desired end). The hypothetical he further divided into those which prescribe means to a possible end, i.e. the problematic, and those which prescribe means to an actual, or contingent, end, i.e. the assertoric. Watkins' claim is that Hobbes's laws of nature are comparable to Kant's assertoric, hypothetical imperatives, prescribing the necessary means to wholly contingent ends.

⁶⁹ It would be more proper to think of Hobbes's political philosophy as the antecedent of Hegel's political thought rather than Kant's moral theory. Natural right is akin to

The prudential self-concern of any man, when given its fully rational expression, is shown by Hobbes to be preeminently a practical, social concern for the sanctity of moral law. The objective determination of one's most basic interests dialectically reflects and includes within its concept the good of civil society in general, and, therefore, the good of its members.

Hobbes's innovation is his attempt to show that, in entering civil society, natural man is transformed into the flawless paragon of civic (i.e. protean) virtue by the simple and seductive agency of being realistically concerned for his own rationally conceived welfare. Whether Hobbes's idea

the Hegelian "abstract right", the immediate externalization of my will, its projection into or upon another. Like abstract right, Hobbes's natural right, so understood, is self-destructive, or self-contradictory. It is tantamount to a war of all against all, in which man's blind instinct for appropriation is equivalent to freedom in-itself, but not for-itself.

The objective freedom of abstract right, i.e. of Hobbes's natural right, requires the mediation of others before it is something other than abstract. It needs the recognition of others, acquired through the act of contracting with them to form a civil society. In this way, natural rights are transformed into civil or political rights; objective freedom, mediated by the subjective freedom of thought, results in the unity of right and duty, in obligations which are not restrictions upon one's freedom but, rather, are the very embodiment of one's freedom.

One ought not, however, ignore the difference between Hobbes and Hegel in this integration of right and duty. Unlike Hegel's citizen, the Hobbesian citizen remains an egoist, true to his natural self. Never is the fundamental difference between the private and the public good lost sight of. Never is the Hobbesian individual completely absorbed by the ethical institution; there is no loss of self. The second step in Hegel's dialectic, i.e. subjective freedom or morality, is undeveloped in Hobbes's thought. Hobbes never identified subjectivity with the self-determination of the will which Hegel refers to in his section on morality, as conscience. That is a strictly post-Hobbesian notion, the absence of which leaves the reconciliation of right and obligation in Hobbes incomplete and partial.

is morally and philosophically valid is not an issue to be debated here. What is of importance is only the fact that this was his idea. The conceptual, or analytic, interpretation of Hobbes's philosophy shows no inclination for appreciating this, but rather, begins by discarding as invalid the egoistical conception of human nature and the "realistic" political intentions which serve as the very basis of Hobbes's philosophy. The consequence of this approach to Hobbes's thought is that one is led into the consideration of problems which are wholly irrelevant to the issues with which Hobbes was concerned.

Conclusion

To many present-day readers, it is difficult to resist the thought that there has been a deterioration in our comprehension of Hobbes's philosophy. I am inclined to think that this is a reflection of a still more general deterioration in our ability to think through political problems without landing in an ideological or methodological haven where we might be rescued from our own thought. The piecemeal proclivities of present-day studies of Hobbes's thought arise from interests that cannot be pursued except by an abstraction from the philosophical problems to which Hobbes addressed himself.

Paradoxically, the preoccupation with the logical validity of Hobbes's thought (on whatever basis, theological or conceptual), and the studies that preoccupation has generated, has left us in a situation where we know much more and, simultaneously, much less about Hobbes than ever before. What was once a formidable philosophical system looks now like a jumble of unrelated parts. Hobbes, it would appear, has presented us with a mechanistic materialism, an egoistic psychology, a mechanistic psychology, a nominalistic theory of language, a political absolutism, a mathematical methodology, a theology, and even a theory of moral obligation—all of which are at best only contingently related, and at worst not related, or relatable, at all.

In spite of the philosophical precision with which they have undertaken admittedly scholarly analyses of Hobbes's philosophy, Warrender and Gauthier, and the schools of thought that they represent, leave us with painfully less than we must have in order to comprehend the philosophical issues to which Hobbes's philosophy directs itself. Thinking of moral philosophy only in terms of the juridical matters of legal philosophy makes the problems of moral and political philosophy more susceptible to methodological analysis. But it does so at the expense of solutions to those problems as "real" problems of social and political existence. With-

out apprehending Hobbes's philosophy at the level that he confronts these problems, studies may be interesting philosophical exercises, but little more.

Gary B. Herbert
Department of Philosophy
Loyola University
New Orleans, Louisiana