

# How Does Hobbes Justify The Authority Of

In this essay, I shall define the modern state and put Hobbes in some sort of historical context. I shall then go on to study the way that he justifies the type of state that he argues for in *Leviathan*. Finally I shall critically look at the problems with Hobbes theories and see how he dealt with alternative forms of authority.

During Thomas Hobbes life, Europe was politically very unstable. It had just recovered from the Protestant reformation and the English civil war was happening actually as Hobbes was writing *Leviathan*, his seminal work.

The modern state is a 16th and 17th Century institution that is distinct from the pre-modern and post-modern states. Hobbes is often thought of as one of the founding fathers of the modern state.

Hobbes spends a great deal of time examining human nature in his book "*Leviathan*". This culminates in the description of 'The Natural Condition of Mankind'. It is believed that 'The State of Nature' has never existed. It is merely a rational fiction that allows Hobbes to strip man of society and show how he would really act. The closest comparison to 'The State of Nature' could be North America just after colonial rule and the settling of the relatively lawless west. Another example could be the book, "*The Lord of the Flies*," by William Golding, a story about a group of boys marooned on a desert island together and how they consequently interact, sometimes quite violently. He believed that all humans acting rationally would always protect themselves from any perceived threat. In this 'state of nature' people would kill each other in order to minimise the risk of their own death. Hobbes writes that:

'[In this condition] there is no place for Industry; because the fruit thereof is uncertain; and consequently no Culture of the Earth; no Navigation, nor use of the commodities that may be imported by Sea; no commodious Building; no Instruments of moving, and removing such things as require much force; no Knowledge of the face of the Earth; no account of Time; no Arts; no Letters; no Society; and which is worst of all, continuall feare, and danger of violent death; And the life of man, solitary, poore, nasty, brutish and short.'

Political theorist before Hobbes had argued that there were various ways of getting around this problem. They had formulated two different Political systems for their pre-modern states. Either a country was a Principality, like a Kingdom, or a Republic:

'All states, all powers, that have held and hold rule over men have been and are either republics or principalities.'

So these theorists believed that a state was either identified with rulers or with the people. In Hobbes Modern State, this distinction was completely artificial: The two entities were mutually dependant, and were connected by a social contract, agreement or covenant. One form of this was the 'no contract' type of state. Under this, absolute power

rested with the King; his authority came from God. This is where the phrase 'The divine right of Kings' comes from. The only other social contract theory before Hobbes was the two-contract theory. Under this system, the people first form a society - that is they agree to unite - and then they choose a government which is the second contract. As we shall see later these contracts can be mutually exclusive which can lead to disagreement or even civil war.

The beauty of Hobbes' Leviathan, is that it proposes a single contract theory which can stand alone. Hobbes wrote that:

'A COMMONWEALTH is said to be instituted when a multitude of men do agree, and covenant, every one with every one, that to whatsoever man, or assembly of men, shall be given by the major part the right to present the person of them all, that is to say, to be their representative; every one, as well he that voted for it as he that voted against it, shall authorize all the actions and judgements of that man, or assembly of men, in the same manner as if they were his own, to the end to live peaceably amongst themselves, and be protected against other men.'

This shows how all that is necessary for men to do is agree to surrender their right to decide what constitutes a threat. This right is given to a group of people or a person who then becomes completely unanswerable in determining what that threat is. In this way people will not feel sufficiently threatened to kill others.

Hobbes thought that the alternative to this state was the 'state of nature' which was described above. The most important thing about the Leviathan is that all power and authority are given to this representative. There can be neither limit, such as a constitution nor any division of powers such as that between the executive and the legislature. This means that there is no opportunity for disagreement or civil war. One of the major causes of war in Hobbes' time was religious war between different factions in the church. These were caused by different interpretations of scripture or different belief-systems. For this reason Hobbes wrote that the Sovereign should have absolute power to interpret the scriptures and rule on religious law. This was very controversial and led to huge problems for Hobbes in his life. He was not very diplomatic in this respect and wrote:

'The papacy is not other than the ghost of the deceased Roman Empire, sitting crowned upon the ghost thereof.'

Another institution that could threaten the authority of the sovereign is the judiciary or court system. There was no room in the Leviathan for a constitution or bill of rights because there would be no - one to judge on it. If an entity were created which could judge on it then this could threaten the authority of the sovereign.

Hobbes does, though accept the right of people to 'opt out' of his state. However he believes that people will only do so if there life is in immediate danger; perhaps in war or if they have been sentenced to death. In these circumstances, it is rational to disobey the sovereign as self-preservation was the only reason to accept authority in the first place. Under these circumstances, though, Hobbes thinks that although one man may refuse 'to climb the scaffold', other citizens will force him as they themselves are scared:

'This is the generation of that great LEVIATHAN, or rather, to speak more reverently, of that mortal god to which we owe, under the immortal God, our peace and defence. For by

this authority, given him by every particular man in the Commonwealth, he hath the use of so much power and strength conferred on him that, by terror thereof, he is enabled to [con]form the wills of them all,'

So under the Leviathan people have to choose between the state of nature or the terror of the state. No - one will protect the rights of an individual from the state because they themselves will be terrified.

Hobbes justification of this extreme lack of liberty is that it is the only way that society can exist. However, as Hobbes points out, just because the citizens do not have any legal right to liberty they may still be given huge amounts of personal freedom. Hobbes' Leviathan is not meant to be totalitarian; the sovereign should leave people alone most of the time. Except for marriage, war and taxation. There is never a point at which the citizens know that the sovereign will not restrict their freedom as the sovereign grants all of the freedom that they have to them. Government thus does not do everything but it can do anything.

Hobbes does not necessarily say that the all - powerful sovereign of his Leviathan should be a single person, just that it is united. So the ruler can be an assembly or a single person. The assembly though is not answerable to the people. This does not mean though that Hobbes supported despotism; despite his distrust of democracy, Hobbes believed that a diverse group of representatives presenting the problems of the common person would, hopefully, prevent a king from being cruel and unfair. During Hobbes' lifetime, business began to have a big influence on government. Those who could contribute money to the government were given great status, and business interests were very powerful. In order to offset the growing power of business, Hobbes believed that an individual could be heard in government by authorising a representative to speak on their behalf. In fact, Hobbes came up with the phrase "voice of the people," which meant that one person could be chosen to represent a group with similar views. However, this "voice" was merely heard and not necessarily listened to - final decisions lay with the sovereign.

Hobbes' state is made of three different entities; the multitude, the people and the representative. The multitude becomes the people when they agree on the covenant and the representative is appointed. Since the 17th Century the meaning of representative has changed so the ruler does not necessarily have to be a representative of the people.

Although the Leviathan does seem to be perfectly formed and internally structured, there are possible problems. For example, the succession of the sovereign is difficult to decide; if people make a covenant to accept the authority of one man or body, what should happen when he dies, or the body attenuates? Hobbes wrote that the sovereign should always have the right to choose their successor but what happens if he or she dies suddenly? Similarly Hobbes writes that all children born into the state are bound by the covenants of their parents but this is not as logically coherent as some of the rest of Leviathan.

As mentioned above, Hobbes does accept that the authority of the state should sometimes be challenged when the citizens feel that their life is in danger. However he argues that the power of the sovereign will remain safe because others will step in to support him. However Hobbes writes that the power of the Sovereign is ultimately conditional and that if the state fails to fulfil its obligation to protect the lives of the subjects, then it will fail as the people are no longer bound to it. This would only happen

in practice if the sovereign led many people into battle and they all realised that their lives were threatened and turned on the sovereign.

However it is obvious that modern Liberal Democracies do not operate in this way. In the European Union, for example we have a codified bill of rights which restricts the power of the commission. So for this reason Hobbes was wrong when he wrote that there could be no other alternatives but the state of nature. Perhaps he was wrong to be so cynical about humans and how they react to different forms of authority. The ideas of Montesqu and other Political Theorists seem to have created states in which the separation of powers is not just possible but desirable. International relations are though largely governed by the state of nature still and so Hobbes' ideas are of great use to people thinking about the powers of supra - national organisations such as the United Nations.

Therefore, in conclusion, Hobbes justifies the authority of the state by saying that there is no alternative but the barbarous state of nature. In Leviathan he attempts to prove from 'first principles' how his state would work. Hobbes thought that he could rationalise Political Science and make it like geometry:

'And therefore in geometry (which is the only science that it hath pleased God hitherto to bestow on mankind), men begin at settling the significations of their words; which settling of significations, they call definitions, and place them in the beginning of their reckoning.'

Thus he justifies the authority of the modern state because otherwise the state of nature will exist and he argues that people will always choose the terror of the Leviathan over the danger of the State of Nature.