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Hobbes

Thomas Hobbes (1588-1679) was, above all, an anti-revolutionary, writing in the midst of the revolutionary upheavals gripping seventeenth-century England. This political orientation was an important motivation for his political philosophy, perhaps the most important of all the factors affecting it. It would even be fair to say that the principal aim of *The Leviathan* (1651), Hobbes's masterpiece, was to establish the claim that it is never justified to rebel against existing authorities. In pressing this case, Hobbes considered a host of pro-revolutionary positions with a view to showing, in each instance, how the deeper theoretical convictions of those who propose these views, properly understood and developed, actually support anti-revolutionary positions. Since most seventeenth-century English revolutionaries were militant Christians, intent on justifying rebellion theologically, most of *The Leviathan* is concerned with the political implications of theological doctrines prominent in Hobbes's time. I will not address this side of Hobbes's case against revolution at all. It belongs to a very different world from that of modern political philosophy. I mention it only because those thoroughly secular positions of Hobbes's that can be mined for insights of contemporary relevance arose in the course of his employment of a similar argumentative strategy - with respect to emerging political ideas of a distinctly modern cast. In the portion of *The Leviathan* I will consider, chapters 1-6 and then especially chapters 13-20, Hobbes took the thinking of some of the more radical English revolutionaries as his starting-point, developed it in ways that only a genius of Hobbes's order could, and then, ironically, turned it to anti-revolutionary ends.

We must credit the most advanced of the English revolutionaries for introducing a political vocabulary that plays a prominent role in political theory and practice to this day. Among their innovations was a certain understanding of freedom or liberty, words which I will use interchangeably. Essentially, their idea was that what matters is freedom from (coercive) restraint or, as Hobbes put it, "the absence of External Impediments" (*Leviathan*, hereafter L, chap. 13). These English revolutionaries accorded value to freedom in this sense; they valued negative liberty. The more of it, the better, other things being equal. This conviction remains in force today. From the time these revolutionaries raised the idea and Hobbes gave it theoretical expression, a presumption for negative liberty has been almost universally acknowledged.

Another concept that some of the English revolutionaries broached and that Hobbes developed is the notion of moral rights. Rights claims are always addressed to others. To assert a right is to claim that others have a duty to do or forbear from doing certain things that affect the right bearer's interests. Thus a Robinson Crusoe, alone on his island, would have no rights, because rights claims make sense only when there are others to whom they are directed. Rights can only exist within communities. In the Western tradition, rights had a place in political discourse long before the seventeenth-century English revolutions. From the time of ancient Rome,

they were invoked in legal contexts. Individuals had rights and corresponding duties in consequence of the laws under which they lived. More generally, as the original usage implies, rights follow from "the rules of the games" we play; as when, for example, in playing chess, players have the right to move their bishops diagonally, when it is their turn to play, but not to move their opponents' bishops or to play out of turn or to move bishops as though they were knights. Before the seventeenth century, the term was reserved, in the main, for "games" that had some juridical basis. The English revolutionaries extended the range of application of rights talk beyond this institutional context - to the entire political community. They took over the legal notion and used it to articulate their demands. Thus, the notion of moral rights came into being. A moral right, then, is a claim on others to do or forbear from doing certain things in virtue of their moral status, irrespective of the legal standing of the claim being made. Hobbes took over this notion too and developed it perspicuously. Partly in consequence of his work, the idea survives to this day. In fact, it has never flourished so much as in our time. Ours is a political culture that expresses itself munificently in this idiom.

Both negative liberty and moral rights are individualistic notions; they follow naturally, if not inexorably, from the image of the atomic individual. Atoms follow their own inertial motions; their "natural condition" is to move without restraint. Hobbes was officially opposed to Aristotelian science and therefore, one would have thought, to the Aristotelian identification of the natural with the good. But he was still enough of an Aristotelian to succumb to this understanding at an intuitive level. The "absence of External Impediments" is good because it is a natural condition which, other things being equal, ought to be enjoyed. Similarly, atomic individuals have interests that they seek to further and protect. Rights talk is a convenient way to press this concern. To assert a moral right is, in effect, to claim that one has an interest that others ought to accommodate. Thus rights are devices that atomic individuals can bring to bear to promote their interests in circumstances in which they and other atomic individuals are obliged to interact.

As remarked in the Introduction, Hobbes set out to think about society and politics in a way that was joined systematically to the picture of reality that he believed the new sciences of nature implied. Hobbes also wanted to apply what he took to be scientific standards of explanation. In his view, to explain something is to show how it came to be, to discover what Aristotelians would call its "efficient cause."¹ To this end, Hobbes thought it necessary to break phenomena down in such a way that their constituent parts stand revealed and then to tell a causal story that explains how these fundamental constituents came to be put together in just the way that they are. This view of explanation very much affected how Hobbes set out to account for political authority. He began with "the natural condition of mankind," the state of nature, and then told a causal story about how its fundamental constituents, atomic individuals, concocted political arrangements of the kind he set out to explain.

Hobbes expressly upheld the notion of efficient causality, the ancestor of modern understandings of causality, while rejecting the other three kinds of causes recognized in Aristotelian science and metaphysics: material, formal and final

causes. A material cause is the substratum or stuff of which a thing is made - the bronze of a statue, for example. The formal cause is the thing's form - the statue's shape. Final causes are ends or purposes - that for the sake of which the statue was made. Efficient causes are whatever suffice to bring changes about. Hobbes inveighed against Aristotelean understandings of causality most famously in *De Corpore*: 15:3.

The State of Nature

In doing so, Hobbes developed a methodology that philosophers today call contractarian because the idea of a "social contract" is central to its application. Contractarianism is actually a collection of (related) methods; the version Hobbes invented is only one very influential variation on this theme. We will find that Locke's contractarianism is not quite the same as Hobbes's, and that the contractarianism of Rousseau and Rawls differ even more radically. But all contractarian methodologies share some common features. The basic idea is to abstract away everything pertaining to what is to be justified and then to show how rational (atomic) individuals, given their interests, would "contract" into just the set of institutional arrangements that the contractarian wants to defend. In seventeenth- and eighteenth-century applications of this methodology, there was some confusion about the historicity of the causal story contractarians told. Thus Hobbes seemed to say, and may actually have believed, that once upon a time people really did live in a state of nature, and then somehow got together to establish a sovereign power. Understood this way, contractarianism is plainly false. There is no reason to think that anything like a state of nature ever existed or that there ever was a social contract. The plain recognition of this fact partly explains why, in the nineteenth century, contractarianism fell into disrepute. But it has become clear by now that contractarianism, properly understood, is not in any way committed to false historical explanations. We can think of the state of nature as an element in a thought experiment in which we imagine what life would be like in the absence of, say, political arrangements - without in any way supposing that there ever was a time in which people actually lived without political arrangements of any kind. Similarly, we can think of the social contract not as an actual (presumably unwritten) document, produced at a particular time and place, but as an implicit reconstruction of the principles that individuals in a hypothetical state of nature would choose to organize, say, their political affairs. This understanding follows from the prior resolve to take atomic individuals and their interests as points of departure for thinking about political arrangements. Atomic individuals have interests that they seek to advance. For a contractarian, the right way to think about advancing individuals' interests is, as it were, to let individuals fend for themselves; in other words, to imagine what rational, self-interested individuals would do in the counterfactual circumstances they call a state of nature. Thus whatever Hobbes may have believed, the state of nature is an idealization, a model. Accordingly, in identifying its salient features, Hobbes did not describe literally everything that would be the case in the absence of political arrangements, but only those things that matter for explaining political authority. What Hobbes did was to identify features of human nature and the human condition that are universal, that in no way depend upon political

authority relations, and that are relevant to explaining political authority causally. The fact, for example, that human beings need food and water and air to survive meets the first two conditions, but not the third. It therefore plays no role in the model Hobbes constructed.

What plays a decisive role in Hobbes's account of the state of nature is the relative equality of atomic individuals. It is important to realize that when Hobbes spoke of equality (see L, chap. 13), he did not mean equality in a moralized sense - as when, for example, in the US Declaration of Independence, it is declared that "all men are created equal." What Hobbes had in mind is the distribution of physical and mental endowments. His claim was that these endowments are distributed by nature among human beings in such a way that even the weakest, slowest and dumbest among them can kill the strongest, fastest and smartest. All human beings are, in other words, vulnerable to mortal assault at the hands of all others. Needless to say, this claim too is false. The very young, the very old and the very infirm generally pose no mortal threat to able-bodied persons in the prime of life. But, again, Hobbes's aim was not to describe what is literally the case. It was to model what is explanatory, according to his own understanding of what a proper explanatory practice requires. Were it pressed on him that normal adult human beings face no threat from infants, he could reply, anachronistically but correctly, that, if his idealization is on track, this fact is just so much "noise" to be abstracted away. He could insist, in other words, that what is pertinent for explaining sovereignty is the range of variation he models, not the range of variation that exists in fact. This would be a fair rejoinder. If Hobbes's state of nature is a bad idealization, it will be for reasons much deeper than the observation that there are categories of human beings who comprise exceptions to what Hobbes claims about the relative equality of persons. We will go on to see that Locke endeavoured to invoke reasons of sufficient depth to dislodge Hobbes's account; and that, in a very different fashion, Rousseau did as well. But whatever we finally conclude about their rival views, the crucial point, for now, is that relative equality plays a crucial role in the explanation of political authority. Were the range of variation of natural endowments among human beings greater than it actually is, the problems atomic individuals confront in a state of nature would be very different from those Hobbes described. If natural endowments were distributed among atomic individuals in the way that they are, say, between healthy adult human beings and house-flies - if, in other words, mutual vulnerability to mortal assault was not a universal fact of the human condition - we might be able to dispense with a social contract altogether. But this is not the case, and therefore, in Hobbes's view, a social contract is indispensable for our interests to be served,

What Hobbes had to say about human nature is similarly trans-historical. If a disposition is ascribed to "natural man," it must also hold, if not quite in any imaginable circumstance, then at least in a state of nature - that is, in the absence of political arrangements and their effects. This is how we should understand Hobbes's claim that human beings are "diffident" - in other words, prone to fear - and that the thing they fear most is violent death (L, chap. 13). Hobbes's claim is that diffidence obtains irrespective of the conditions under which persons live; that it can be more or less acute, depending on circumstances, but that it is "hardwired" into the human psyche and therefore always capable of governing social relations

among human beings. In the absence of political arrangements of any kind, this omnipresent fact of human nature takes on an enormous significance.

Knowing that human beings are relatively equal and diffident, we can be confident that, in the absence of countervailing factors, a state of nature will be "a war of all against all." For when these conditions obtain, atomic individuals are nothing but threats to other atomic individuals. Everyone therefore has an interest in killing everyone else pre-emptively, whenever possible. Insofar as individuals are capable of knowing their interests and of adapting means to ends, as Hobbes assumed they were, and insofar as nothing holds them back, they would then act as their interests dictate. In a Hobbesian state of nature, nothing does hold them back, not even unenforceable rules, for in a state of nature there are, by hypothesis, no rules of any kind. Therefore even "moral" injunctions to do or forbear from doing certain things - for example, not to kill - have no effect in a state of nature. Like other systems of rules, morality has no place in the pre-political world Hobbes imagined.

This is an especially dramatic way of making the point that the rules under which people live, moral and otherwise, are ultimately human contrivances. They are neither God-given nor in any other way out there, awaiting discovery in the way that the mysteries of nature are. Rather, they are concocted by those whose behaviours they regulate. In this sense, they are prescribed, not detected. Again, Hobbes was not committed to the view that there was a time in the actual past when moral and other rules governing human behaviour were expressly contrived or formally declared. Contractarians are in the business of providing rational reconstructions, not historical fictions. But, with this understanding in mind, it is fair to say that, for Hobbes, morality too is a human contrivance. As such, it obtains when and insofar as it is advantageous to its makers. Hobbes will argue that, in general, morality always is advantageous to individuals living within political communities, where order obtains, but that it is not advantageous to anyone in a state of nature. The reason is plain: in state of nature conditions, to act in accordance with moral rules is to put oneself at greater risk than one would otherwise be in an unrelenting war of all against all.

"Diffidence" is only one aspect of universal human nature. Hobbes claimed a similar status for "competition" and "glory" (L, chap. 13). By "competition," Hobbes meant what we might today call acquisitiveness. This idea plays a central role in moral, social and political philosophy after Hobbes. But it was not much emphasized by Hobbes himself. Nor did Hobbes do much to clarify what he had in mind. He suggested, but could not possibly have meant, that everybody always wants more and more of everything. Such a claim is plainly mistaken. The problem is not that universal acquisitiveness is false in the benign way that all idealizations are. The fact that people sometimes exhibit generosity or sometimes renounce the things of this world need no more embarrass the claim that individuals are moved by competition than the fact that people are in varying degrees reckless need embarrass the claim that they are diffident. Generosity and voluntary poverty, like recklessness, may just be "noise" to be abstracted away. The problem, instead, is that people almost never desire more and more of any particular thing. Indeed, satiation is as much a fact of universal human nature as acquisitiveness is. Still, Hobbes's position can be corrected in a way that accommodates the intuition that motivated it.

The concept of diminishing marginal utility, an idea anticipated in the eighteenth century by Daniel Bernoulli and then developed in the nineteenth and twentieth centuries by leading economic theorists such as W. S. Jevons, Alfred Marshall and A. C. Pigou, provides some help in this regard. The general idea is that, in nearly all circumstances, the more of some item one has, the less benefit there is in acquiring more of it. The benefit may even diminish to a vanishing point. But it is never the case, when this concept applies, that there is a negative benefit from an additional increment. Perhaps Hobbes ought to have claimed something like this, instead of maintaining, implicitly, that individuals' wants are not affected by what they already possess. But, of course, this revised claim is false too; there are circumstances in which individuals want less, not more (no matter how little), of particular things. But it may not be false in a way that damages Hobbes's account of the state of nature. If, instead of thinking of particular objects of desire, we reformulate the claim in the way that economists do, to apply to things in general or, what comes to the same thing, to money, where money is a universal measure of exchange, then Hobbes's contention may be on track. For it can be claimed, with considerable plausibility, that everyone desires more of this universal equivalent, albeit in diminishing degrees, the more of it they already have, because everyone always wants more of something, even if they do not always want more of everything. No doubt, this claim too is literally false; some people, some of the time, may not want more of anything. But it could be argued that, to the degree that it is false, it errs only in the way that any idealization that excludes a few imaginable real world counter-examples does.

By "glory" (or "vainglory") Hobbes meant the desire to best others. Hobbes focused on "esteem," but the idea can be generalized. Insofar as individuals are vainglorious, they seek not only to increase their own distributive shares, but also to do better than others - to increase the difference between their shares and the shares of everyone else. Glory is the most historically particular of the purportedly universal motivations Hobbes attributed to atomic individuals. The extent to which it governs behaviour is almost certainly dependent upon the norms of the society in which individuals live, norms that vary across societies and historical periods. Nevertheless, it is unlikely that glory, as Hobbes conceived it, is ever entirely absent from (most) human beings' natures. But even if it is, and Hobbes therefore failed to model trans-historical human nature correctly, this flaw would hardly undermine the idea that he wanted to express.

The reason it would not is that the conclusion Hobbes drew - that the state of nature is a universal war of all against all - is over determined. There are at least three distinct grounds, each of them sufficient, for sustaining this description. We have already seen how a state of war follows from diffidence and relative equality alone. It also follows from the claim that atomic individuals are by nature competitive, in conjunction with the fact that most of the things they desire are scarce. Relative scarcity is another of Hobbes's universal and pertinent facts of the human condition. It obtains whenever the things people want are sufficiently scarce such that not everyone can have everything they want, but not so scarce that individuals cannot benefit from cooperation. Most of the things people want are, in fact, relatively scarce. Whatever is not is either abundant or absolutely scarce. A good is abundant if everyone can have all of it that they want without diminishing anyone else's share, except in negligible ways. Thus air is abundant in most circumstances. A good is

absolutely scarce if it is in such limited supply that, in general, there is no reason to cooperate with others for its acquisition. Water on a lifeboat that is sufficient for the survival of only one of several passengers is an example. A struggle among the lifeboat's occupants to acquire this water would be a "zero-sum game." There would be only winners (in this case, one winner) and losers, and the winners would benefit at everyone else's expense. Nearly everything people want is scarce, either relatively or absolutely. Therefore, competitive atomic individuals are in competition with everyone for (almost) everything. So long as no countervailing factors obtain, they would therefore find themselves in a war of all against all. Thus, as Hobbes maintained, competition is an independent "cause for quarrel." Glory is another independent cause. It motivates everyone to seek to dominate everyone else, and therefore to wage war against them in order to best them and not be bested by them. To be sure, this putative fact of universal human nature differs from the other two inasmuch as it only motivates war to the point of submission - not, as the others do, to the point of death. It does suffice, however, even in the absence of the other causes, to turn a state of nature into a condition in which everyone is at war with everyone else.

There is another fact of the human condition that Hobbes does not expressly acknowledge, though it is a feature of the imagery that underlies his model. I will call this condition geographical proximity, the fact that atomic individuals are obliged to interact in the same "space." If geographical proximity did not obtain, a state of war would be avoidable, even if everything else is as Hobbes maintained. For then, atomic individuals could exit from situations that would otherwise lead to conflict. Inhabitants of territories that have no contact with one another have no basis for quarrel - even allowing that they are relatively equal in natural endowments, that they live in a milieu of (relative) scarcity and that they are diffident, competitive, and vainglorious by nature. If geographical proximity did not obtain, individuals in a state of nature could enjoy peace for a similar reason. They could withdraw from the war of all against all. But this is not their fate. According to Hobbes's model, people inhabit the same (bounded) space and are therefore obliged to interact. Exit is not an option.

As Hobbes explained, a state of war "consisteth not" in overt battle, but "in a general disposition thereto" (L, chap. 13). Hobbes's claim, then, is that in the absence of suitable political arrangements, individuals find themselves in a situation in which they could not but evince a disposition to wage war against everyone else. But this state of affairs is at odds with their interests, a point Hobbes made graphically clear in his celebrated description of the state of war: "... In such condition, there is no place for industry; because the fruit thereof is uncertain; and consequently no culture of the earth; no navigation; nor use of the commodities that may be imported by sea; no commodious building; no instruments of moving, and removing, such things as require much force; no knowledge of the face of the earth; no account of time; no arts; no letters; no society; and which is worst of all, continual fear and danger of violent death; and the life of man, solitary, poor, nasty, brutish and short" (L, chap. 13). Each individual therefore has an overriding interest in terminating this unhappy situation. In principle, of course, they could always put the war of all against all to rest by changing their natures or their condition or both. But this way out is, by hypothesis, unavailable inasmuch as human nature and the

human condition are assumed to be timeless and unchangeable. The problem, therefore, cannot be conjured away. There is no choice but to confront it directly and, if possible, to negotiate a solution.

The Problem

It is in each individual's interest to end the state of nature by instituting a regime in which individuals' behaviours are coordinated; in which rulelessness is replaced by order. To this end, Hobbes thought that individuals must address the main source of the problem they confront, the relative equality of persons. Since they cannot abolish this fact of the human condition, they must contrive a way to overcome its effects. Given the fact of relative equality, no one is in a position to impose order. No one is even able to enter into negotiations with greater bargaining power than anyone else. But since no one will agree to a negotiated outcome unless it is in their interest to do so, the outcome of the (hypothetical) negotiating process into which atomic individuals enter will have to be advantageous to everyone. What is sought, then, is a mutually advantageous solution to the problem individuals in a state of nature confront. Put differently, individuals have only their own resources to depend upon when they set out to put the state of war to rest. Neither God nor any other superior power can come to their aid; no solution can be imposed from without. But as long as relative equality obtains, it seems that it also cannot be imposed from within. In a society of relatively equal atomic individuals, no one is sufficiently powerful to transform "the natural condition of mankind"; no one is able to issue enforceable commands. But if relative equality were overcome, fear of overwhelming force would end the war of all against all. Therefore the task atomic individuals in a Hobbesian state of nature confront is to concoct such a power, a force so mighty that whoever wields it is able permanently to establish peace.

Thus the fundamental problem of political life, as Hobbes conceived it, is to create "a common power to hold . . . [individuals] in awe." Ironically, this power will take advantage of diffidence to overcome the problems diffidence along with competition and vainglory create. Order, for Hobbes, is based on fear ("awe"); above all, the fear of violent death. What individuals in a state of nature must therefore do is put their diffident natures to work in behalf of civil order. In the face of their own relative equality, they must create an overwhelming power to fear social contract solves this problem.

The Social Contract

Because Hobbes imported the idea of a contract into political philosophy from the law, and because the legal concept has remained essentially unchanged from Hobbes's time to our own, the Hobbesian contract is less problematic and more understandable than some of the rather different social contracts we will encounter in later chapters. It consists of nothing more than exchanges between independent parties, each motivated by self-interest. Thus the Hobbesian contract has the same structure as contracts with which everyone is familiar - landlord/tenant leases, for example. Landlords and tenants exchange living quarters for rents. Each are better

off in consequence. The reason why is clear: if we exclude force and fraud, either of which normally render agreements void, contracts are entered into voluntarily. Assuming the self-interest and rationality of the contracting parties, the well-being of each party is enhanced whenever individuals do what they freely choose to do. Contracts therefore ratify agreements that are mutually advantageous. Rational individuals will enter into them, therefore, whenever it is possible for them to do so, whenever doing so advances their interests.

We can think of the Hobbesian contract as a solution to a vexing but not intractable bargaining problem. Because bargaining has a Prisoners' Dilemma structure, the optimal outcome is every bargainer's second-best choice in the sense that there is a better possible outcome, for each individual, than the bargaining solution. The best outcome for each individual will always be the one in which others do what the bargain requires, but one does not do so oneself. Each bargainer's third choice is that bargaining fails; that no exchange takes place, the analogue of a state of nature. What each bargainer wants least is to do what the bargain requires while others do not; the analogue of unilateral disarmament in war. Thus if Brown wants to sell his car to Green, what Brown wants most is that Green turn over the money to Brown without Brown turning over the car to Green, and what Green wants most is Brown's car for free. The second-best option for each of them is that a deal be struck. This is the bargaining solution. It is unanimously preferred to no deal at all, which is preferable, in turn, from Brown's point of view, to the case in which Brown turns over his car without getting Green's money or, from Green's point of view, to the case in which Green pays Brown but gets no car in return. As this example makes clear, bargains are possible (rational) if and only if the interests of the bargainers overlap. Then there is an "area" within which a deal can be struck because each of the negotiating parties prefers that a deal be struck anywhere within that area than that no deal be struck at all. Where within that area a deal actually is struck will depend on many factors - including market conditions, access to information about opponents' positions and strengths, and the various parties' bargaining skills. In the Hobbesian case, the bargainers are atomic individuals living in a state of nature - similarly situated, similarly motivated and similarly rational. There are therefore no significant differences in "market positions"; everyone knows everyone else's situation, and individuals are equally able to attend to their own interests. Therefore, a Hobbesian social contract, unlike most real world contracts, including the majority of landlord/tenant leases, will be equally demanding on all the parties to it. It will reflect the equality among persons that makes it both necessary and possible.

How, then, can diffident, competitive and vainglorious rational individuals, living in a state of nature, negotiate its end? They cannot lay down their rights to each other because doing so would increase their vulnerability in the war of all against all, a prospect they must avoid at all costs. A social contract that individuals in a state of nature can accept will therefore have to oblige no one to lay down rights that others do not lay down too. Insofar as it disadvantages its adherents in the war of all against all, it must disadvantage them equally. In addition, this social contract will have to be susceptible to monitoring, so that the contracting parties will know that the conditions under which they lay down their rights actually obtain. These parties can only be individuals because, in a state of nature, only individuals exist. There is

no already established political community or "people" and, of course, no "sovereign." Hence neither the people nor the sovereign can be parties to a social contract. But, then, since individuals cannot lay down their rights to one another, how possibly can they lay down their unlimited right to everything, as their interests require? And to whom can they lay their rights down?

Since there are only atomic individuals, the social contract can only be between atomic individuals. These individuals cannot contract with one another to become rulers and subjects. But they can agree, conditional on others agreeing too, to enforce the commands of a third party against each other. To be that third party, the one whose commands others enforce, is to be a sovereign; for sovereignty, as Hobbes conceived it, just is the capacity to issue enforceable commands. Thus even though individuals cannot lay down their rights to one another, they can, by contracting with each other, concoct a sovereign. When they do so, they neither agree to obey one another, nor do they enter into a covenant with the sovereign they thereby establish. Indeed, the sovereign is not a party to the social contract at all. Here, Hobbes's virtuosity in combining theoretical exigencies with anti-revolutionary politics is especially evident. Because a sovereign cannot be a party to a social contract, a sovereign's failure to live up to the terms of the social contract cannot possibly trigger a right of revolution - contrary, for example, to what Thomas Jefferson claimed in the US Declaration of Independence. In that document, George III's treatment of the English colonies in North America is described as a breach of contract; a breach that, in the view of the Declaration's signers, justifies rebellion. Had Jefferson been a Hobbesian, he could never have drawn this conclusion.

In a state of nature, it is irrational to agree to become subservient to anyone else. Hobbes's social contract respects this requirement. But, by means of this contract, individuals do, by indirection, succeed in making themselves the sovereign's subjects. For if a sufficient number of individuals agree to enforce the sovereign's commands against others, relative equality, the condition that turns the state of nature into a war of all against all, ceases to obtain. The individual who is sovereign is still, of course, relatively equal to others in natural endowments. But, as a public person, the sovereign is vastly more powerful than any of his subjects because the sovereign has the combined strength of all the contracting parties at his disposal. With these enforcers at the ready, he can issue enforceable commands. Thus, despite relative equality, the sovereign can establish order by force.

The social contract therefore changes the payoff structure individuals confront. Once a sovereign is in place, individuals no longer face a generalized Prisoners' Dilemma. They find themselves instead in circumstances in which defection from mutually beneficial rules or, what comes to the same thing, disobedience of the sovereign's commands is more costly and therefore less desirable than conformity or obedience is. For where there is a sovereign, there is also a "police," a force capable of imposing sanctions that no one can reasonably expect to resist. In a state of nature, everyone wants everyone else to conform to rules, while they themselves remain free to do as they please. Everyone wants to be a lone disobedient. But as long as they act on this preference, a state of war remains in force. In pursuing what they most prefer, lone disobedience, rational individuals find themselves unintentionally generating the outcome they prefer least, the state of nature. The only way out is to

establish a sovereign, for wherever sovereignty exists, fear of the sovereign's police will cause everyone to prefer conformity to the sovereign's commands over lone disobedience. Then when rational individuals act as their preferences require, peace will result - for universal conformity to rules (in this case, to the only rules there are, the rules that follow from the sovereign's commands) is peace.

In establishing a sovereign, individuals effectively organize themselves into an overwhelming force, capable and ready to enforce the sovereign's commands. The sovereign, then, is not the victor in the war of all against all. In that war, there are only losers. To be sure, some individuals will do better than others, and it is likely that the sovereign will be chosen from among those who have fared comparatively well. But no individual can become a sovereign by triumphing over other individuals in the state of war. Sovereignty is a "gift" of the people themselves (L, chap. 14). Therefore any individual could in principle assume the sovereign's powers. Sovereignty resides in the people, and it is ultimately up to them to determine in whom it is "incarnated."

It is plain, then, that Hobbes's social contract is not really a contract at all, except in a manner of speaking. It is many contracts. Everyone contracts with everyone else to become the enforcer of the sovereign's commands against others. No one, however, agrees directly to obey the sovereign; no one agrees directly to become his subject. Although it is in everyone's interest that everyone be the sovereign's subject or, more prosaically, that everyone be obligated to do what the sovereign commands, no one in a state of nature can agree to take this step, except on pain of irrationality. But when individuals contract with each other in the way Hobbes described, what was otherwise impossible becomes unavoidable. Thus political obligations are by-products of the social contract. Only individuals can bind themselves, and rational individuals who are diffident, competitive and vainglorious and who live without "a common power to hold . . . [them] in awe" cannot bind themselves directly. But, by contracting with each other to enforce commands issued by a no contracting party against others, they create a situation in which it is generally irrational, given their interests, not to do what that third party, the sovereign, commands. In these conditions, obeying the commands of that individual will almost always be prudent. In Hobbes's view, this is all that political obligation is.

Contracts entered into out of fear are generally invalid; like fraud, force (or the threat of force) delegitimizes agreements. Thus when Green agrees to turn over a sum of money to White in consequence of White's threat to cause Green bodily harm, Green's agreement, however prudent, has no normative force. The transaction is not legitimate. But, as Hobbes insisted (L, chap. 14), the fact that fear - specifically, fear of violent death - leads individuals to make a social contract in no way undoes the contract's legitimacy. This is because in a war of all against all, notions of legitimacy and normative force have no place. These and other moral requirements make sense only in circumstances in which abiding by agreements is generally advantageous; circumstances that cannot exist until after the state of nature is laid to rest. Thus there is a sense in which, for Hobbes, might makes right. Might create the conditions for the possibility of a world in which notions of right and of morality generally, of what Hobbes called justice, have a place.