

HOBBS AS A SOCIOBIOLOGIST. RETHINKING THE STATE OF (HUMAN) NATURE

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RESUMO *No texto a seguir, pretendemos apresentar uma proposta de interpretação da obra de Hobbes a partir de sociobiologia. Apesar de poder chocar alguns em primeiro lugar como um anacronismo ou errado, ler o filósofo da Mamelsbury a partir de uma perspectiva sociobiológica pode lançar luz sobre alguns aspectos particulares do seu argumento, em especial os referentes à construção da natureza humana e sua influência sobre a modulação do estado de natureza e sobre a justificação da autoridade e obrigação política. Portanto, Hobbes procede como um sociobiólogo, já que ele nos oferece um conto sobre o surgimento da moralidade de onde ela não existia antes e se move de lá para uma compreensão específica da autoridade política.*

Palavras-chave *Hobbes, Contrato social, Natureza humana, Sociobiologia, Conflito, Política.*

ABSTRACT *In the following text we aim to present a proposal of interpretation of Hobbes's work from sociobiology viewpoint. Despite the fact it may strike some at first as an anachronism or straightforward wrong, reading the philosopher of Mamelsbury from a sociobiological perspective, can shed light on some particular aspects of his argument, particularly those referring*

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to the construction of human nature and its influence on the modulation of the state of nature and on the justification of authority and political obligation. So, Hobbes proceeds as a sociobiologist since he offers us a tale about the emergence of morality from where it didn't exist before and moves from there to a specific understanding of political authority.

Keywords *Hobbes, Social contract, Human nature, Sociobiology, Conflict, Politics.*

§I. The fossil record of morality

Dennet (1996) calls Hobbes “the first sociobiologist”, and there clearly is something weird as well as provocative in this statement. Despite the anachronism implied in this lofty label, we can get some lights from it. Dubbing the philosopher of Malmesbury as a sociobiologist, cannot be done on the grounds of an alleged precocious use of Darwin’s theory of evolution to explain social phenomena, but is a consideration of the nature of Hobbes’s own theories. If we understand socio-biology in its strict sense as the application of evolutionary theory to human behaviour, we would certainly be wrong to consider Hobbes as undertaking such a task. What he actually did was to construct a story of how human morality first appeared on earth, assuming thus, that our nature is not a static endowment, but a transforming trait. This he did by means of a just-so story, the state of nature. The state of nature is a rational construction replacing here the (incomplete) fossil record to which Darwin and other geologists and paleobiologists turned and continue to turn. In the words of Hobbes himself, the state of nature was conceived as an assessment of human beings “as if they had just emerged from the earth like mushrooms and grown up without any obligation to each other” (*De cive*. Ch. VIII, 10). At first glance we couldn’t imagine anything less Darwinian than taking human beings as having emerged in a given moment from nothing, just like a mushroom appears to emerge from the earth, for not even a mushroom appears “from nowhere”. But, why and how can a rational exercise replace the fossil record? Shouldn’t experience be a more appropriate substitute for empirical evidence?

The status of experience is a matter that deserves its own attention in Hobbes’s work for his opinions are contradictory throughout his texts, and even within. While in some places he seems to praise it; in others he sharply rejects it as a cause of sedition. In the “Elements” for instance, he presents his work as a “true and perspicuous explication” based on what human nature is.

An explication of this sort aims at ending with all the controversies regarding political and legal matters: it is intended to be the truth. However, this truth, which origin is found in reason, can be verified by people's own experience, hence, experience though not the source of knowledge, appears as a proper fount of confirmation. His own mechanistic conception of human nature may even encourage relying on experience as a source of objectivity: naturally all human beings are moved by aversions and appetites, and from a similar bodily composition, hence we can expect from sane persons to avoid and to pursue similar things. However Hobbes rushes to add that the same stimuli can never have the same effects on each human being at different times and less so across humans: the constitution of the body is constantly changing, and this is a constitutive part of our conflictive nature. On this ambiguous basis, Hobbes rejects experience as spurious when it comes to elucidate the proper sources of knowledge regarding the principles of law and politics, at this point Hobbes tells his readers that "experience concludeth nothing universally", mainly because it cannot know all the variables that will concur in the future. Experience is nothing but a collection of memories, of phantoms of past sensations, and therefore it does not provide any basis for knowledge claims (*El.* Ch. IV. 10).

Later in the "Elements", Hobbes will say that experience is neither a proper foundation for telling just from unjust. Since what we call experience is no more than remembrances of past motions, it cannot inform us anything more than remembrances of the names imposed arbitrarily by particular men. Experience as a collection of facts is as arbitrary as any of the facts compounding it. This argument is put forward by Hobbes against common law lawyers. Nevertheless, as Finn (2004) acutely notes, Hobbes's position is paradoxical, for while he rejects experience as a source of any universal knowledge, he expects the truth of his theory to be confirmed by individual experience. While rejecting the appeal to experience and its practical consequence, prudence, on the grounds that it is vindicated by common law lawyers, to justify their conception of justice, and the pre-eminence of precedent to the interpretation of laws in terms of what is just and what is unjust, he appears validating it as a source of knowledge and as the field where philosophical contents can be validated. He wants to develop a political theory whose truth be acknowledged by anyone, and experience actually provides that ground of common availability.

If political philosophy is a genuine science and if the principles of this science are true, and if these principles are known by experience, then Hobbes implies that experience does provide a legitimate basis for truth claims. Thus, Hobbes's notion that experience cannot establish truth is inconsistent with his

view that experience provides the true principles of his political philosophy (Finn, 2004, p. 119).

To Finn, this is a proof of the political role of Hobbes inconsistencies: while he prizes experience as a source of validity of theoretical truths, at the same time he needs to prove experience unable to provide any universal knowledge, and hence, unable to be a ground for the judgement of just and unjust with independence of the judgement of the sovereign interpreter. In order to avoid this source of sedition, Hobbes needs to deny experience any validity. Universality is a fiction that cannot be produced by any particular subject, and it has to be completely absent from the state of nature.

It has been stated that in Hobbes conception experience cannot provide universal knowledge, nonetheless nothing has been said of the provision of a particularist or situationist knowledge of the facts. This thesis would imply that Hobbes is more or less consciously assuming that despite the universality of scientific truths about politics, its validation to the eyes of the common people can only be particular. We can trace the tension between the impulses of particularity and the universality of reason all through Hobbes's texts. Epistemic universality appears most of the time as a voluntarist creation of the sovereign: only the sovereign can sanction what is good and bad; just and unjust beyond the mere confronted preferences of private individuals. However a sort of universality also appears in how human nature is conceived, with its sources of conflict and its peaceful cravings. This universality, however, cannot be understood as a Kantian universality of practical and theoretical reason, but as a naturalistic universality, the one that an understanding of the principles of human nature can unveil. Here is where an understanding of Hobbes which the rudiments of sociobiology can prove fruitful.

So, Hobbes proceeds as a sociobiologist since he offers us a tale about the emergence of morality from where it didn't exist before. The contractarian language is an attempt to explain how, from an originary asocial state, society and civilization have emerged, Hobbes was the first to use this formula, and hence we can properly call him "the first sociobiologist", following Dennet. Hobbes attempts to explain how morality (and civil society originating it) first appeared over the earth by isolating every element that wasn't really primitive. This is, imagining a scenario where no society or any shade of civilization and its goods were present. The state of nature is used as this mental exercise in which human nature appears in purity. This just-so story replaces fossil record with a rational exercise of removing the buildings of civilization, prejudice and custom, in order to find the most basic elements over which our morality rises. In this geo-analytical process Hobbes unearths the origination of naturalized customs

as the preference for men over women at political positions, primogeniture and inheritability of power. It is this idea of a morality capable of experimenting mutations through time, which makes evident that the concept of human nature we will deal with is a non-essential one. Nature in general and human nature in particular appears in the light of a naturalistic view as a transformation of reality, one whose history can be traced with the help of anthropological and paleontological research. This perspective, though accurate, can never show us the exact moment when something as morality emerged, it can only give us an ineluctably incomplete account of the many steps taken to get there. It is a reconstruction full of gaps given the acknowledged imperfection of the fossil record: not everything has remained and been accounted for, many vestiges probably will never emerge as records to be acknowledged. Hobbes instead, chose a mental reconstruction of such a development, replacing the moment of emergence of the commonwealth for its logical necessity. The act of contract thus, is not described as a moment, but as an explanation of why to confer one's power and strength to one man or assembly not for a limited time, but for perpetuity, is the only available path to peace. Authorization thus, appears as a real unity of everyone's will (*Lev.* 17.13).

The concept of UNION is highlighted by Hobbes in *De Cive* (Ch. VII.5) as the result of the organised accord of the multitude which, from this act, becomes a people. Individual self-interest is enough of a key to understand how the social contract is going to occur in the state of nature. If individuals are guided by self-interest and contracting is the most effective way to furthering it, then contract is to take place ineluctably. Hobbes individualistic approach in explaining the emergence of both morality and the State is a shared trait between great part of sociobiology and a great part of social contract theory. This desire or impulse is understood by sociobiologists as a 'not necessarily conscious one', this is, we don't need to imagine fully aware individuals (and groups of individuals) willing all the actions oriented to their preservation and the preservation of their genes (and members). Further succeeding in the advancement of their natural instincts will suffice to ensure preservation. In a broad sense, this is what is known as "inclusive fitness" in sociobiology. With these elements we can consider that the very emergence of the State can be understood as the creation of a machine for survival. The State needs to be proven an advantage for the primary end of self-preservation, and we can read along Hobbes's text that this is its main source of legitimacy. The right of resistance provides a hint in that way. What we'll need to explore in more depth will be how these individuals achieve the needed coordination to build such a machine.

Other common grounds can be noted between Hobbes's theory and modern sociobiology, this is the case of his relativism concerning morals. It is actually, one of the fronts of his critique to Aristotle. The Englishman will say that there is no such thing as a final desire, a *summumbonum* to be reached and in which all our toil is to end. Sociobiology, sticking to Darwin's own precepts, has long abandoned the idea of a fittest individual who can smash all the others in the struggle for existence. Indeed, the idea of inclusive fitness is always understood in relation to the environmental conditions to which a species as well as an individual are exposed. What the highest development of an individual is, is always relative to the conditions surrounding it. This relativity of the good is a paramount feature of both Hobbes's contractualism and modern sociobiology.

At this point Hobbes's theory can clearly be translated into sociobiological terms; in fact, according to Roger Masters, this focus on self-interested cost-benefit calculations is typical of inclusive fitness theory. When highlighting the common concerns of traditional political theory and social biology, Masters asserts that

the Hobbesian "natural condition of mankind" is marked primarily by nepotism or selfishness, since cooperation is essentially limited to the kin group based on "natural lust". As a result, social interaction readily degenerates into mutual harm ("war of all against all") unless, for reasons of mutual benefit ("natural right"), individuals are induced to agree ("social contract") to form a political community or state ("commonwealth"). Hobbes, thus not only denies that sociality, or virtue, is natural; he is unable to justify any case of self-sacrifice on the basis of natural right alone. Individuals can —and, if rational, always will— reclaim their natural independence whenever they fear for their continued safety and self-interest (Masters, 1989, p. 174).

Nevertheless we must acknowledge that despite the shared individualism and naturalistic perspective, Hobbes's theory takes distance from sociobiology in one fundamental point: he sees no continuity between social animals' behaviour and human beings'. Social insects live together and aim at that which is good for the community, naturally, following only their appetites, nothing else is needed to keep the lasting peace within ants and bees. Nevertheless and confronting Aristotle's theses, Hobbes denies the qualification of *political* to those insects we know as eusocial. Allow me to quote in length the five reasons Hobbes presents to refuse social animals that condition.

In the first place, men compete for honour and dignity, animals do not; hence men experience *resentment* and *envy* which are sources of sedition and war, but animals do not. Secondly, the natural appetites of bees and similar creatures are uniform and make for the common good which among them does not differ from private good; but for man virtually nothing is thought to be good which does not give its possessor some superiority and eminence above that enjoyed by other men. Thirdly, animals without

reason neither see, nor believe they see, any defects in the conduct of their common affairs; but any group of men includes a large number who suppose themselves cleverer than the rest, and make attempts to change things, and they still do not have the art of words that is needed to arouse the passions, notably, to make Good appear Better, and the Bad Worse than they really are. [...] Finally, the accord of those brute creatures is natural; but accord between men is based merely on agreement, i.e. is artificial; it is not therefore surprising that something more is needed if men are to live in peace. No *accord*, therefore, or association [*societas*] based on agreement can give the security required for the practice of *natural justice*, without some common power to control individuals by instilling a fear of punishment (*De Cive* Ch. V, 5).

The same idea is repeated with no major modification in “Leviathan” (XVII, 6) and it is a central part of Hobbes’s argument against Aristotle conception of sociability and his concept of *zoon politikon*.

To Hobbes, unlike to the Greek philosopher, social animals cannot be political mainly because they lack all the conditions of conflict: they do not chase glory, honour or dignity; their desires are uniform and coincident hence with the good of the whole and most of all, they lack the language to name things and disagree on those names and to arise passions through rhetoric, transforming names at will and giving place to disputes and sedition. Animals thus, naturally accord, while humans only agree artificially. Artificial agreements are only *made with words* and this is why an external warranty is needed, a sovereign who can grant the preservation of peace and of *natural justice’s* rule through the power of the sword. Natural justice can only be the result of a political arrangement made by the sovereign. Thus, what is political or what makes of us human animals political beings, the only political animals, is not our natural sociality but our conflictive nature.

The fundamental difference between social animals and humans is prefigured by Hobbes’s own concept of the political and of his conception of human nature as possessing a complexity absent at all in other animals, despite sociality. The political goes beyond sociality and cooperation, the political is fundamentally conflict. In this regard nobody understood Hobbes as well as Carl Schmitt; to him

Political thinkers such as Machiavelli, Hobbes, and often Fichte presuppose with their pessimism only the reality or possibility of the distinction of friend and enemy. For Hobbes, truly a powerful and systematic political thinker, the pessimistic conception of man is the elementary presupposition of a specific system of political thought. He also recognized correctly that the conviction of each side that it possesses the truth, the good, and the just bring about the worst enmities, finally the war of all against all (Schmitt, 2008, p. 65).

Due to this complexity, conflict cannot but emerge in the state of nature, which raises the question about the place of the political in Hobbes’s theory: if

the political is defined by a fundamental conflict, the state of nature would be the greatest expression of it. Does it mean, then, that civil society is the suppression of the political for peace's sake? Schmitt continues saying that those who fear the dynamic character of human nature will seek peace and security at the cost of surrendering politics to right. Hobbes certainly fears the consequences of human nature, namely the war of all against all, but instead of giving up the political to right, he concentrates it in the figure of the sovereign who enjoys not only unlimited but undivided power. Hobbes passionately argues that any division or attempt to diminish the sovereign's power weakens the capacity the sovereign has to preserve peace and thus to accomplish with the duty he or she is entitled. The nature of commonwealth is not only the accord, for it is weak and fragile, but the unity of the wills in one, in matters considered fundamental to peace keeping. These matters are protecting each individual from the violence of another individual thus eliminating the causes of diffidence. Security is the main issue to be guaranteed in the contract. No one is obliged to give up their right "until arrangements have been made for their security" (*De Cive* IV, 4). Coercion is necessary to secure life and the goods of life Hobbes assumes individuals enjoy.

The device of the social contract is the act of transferring the *dynamis*, the strength to feed one's own will in the will of the sovereign. By this act, every individual becomes a subject, and the multitude becomes a people, thus giving up their unlimited right to all things, including their right to govern themselves and to judge what is good and just according to their own preferences. At first glance, this giving up of the assessment of our own need cannot seem all very advantageous to us, and Hobbes seems to be aware of it. For this reason he will take pains to show how is in the sovereign's interest to protect the subjects' interests. Hobbes provides a self-interested argument for the sovereign as well, not remitting to the dignity of his charge, but to the interest he or she has in keeping a strong commonwealth. This sort of explanation makes it more logical to give up our strength in the hands of the sovereign, considering he is not directly making a pact with us.

Hobbes's explanation of the social contract consists in specifying its inevitability given the description of human nature he assumes. His account of the contract is "an adequate demonstration how and by what stages, in the passion for self preservation *a number of natural persons* from fear of each other have coalesced into *one civil person* to which we have given the name of *commonwealth*" (*De Cive* 5, 12). His drawing of social and political conclusions from a description of human nature makes of him a good candidate to be called a *proto-sociobiologist*.

§II. Finding the way out of the state of nature

When we think about Hobbes's description of the state of nature, the first thing that comes to our minds is war, the war of all against all, a war that can only be ended with a contract instituting an absolute sovereign with power to keep them all in awe. Nevertheless, the link between a warlike natural state and an absolute sovereign is not so clear. This idea has been puzzling most of the Hobbes's scholars for a long time. If we take seriously Hobbes's own assumptions regarding human nature, mainly his political psychology, the passage from the state of nature to an organised commonwealth must necessarily appear as problematic.

Hobbes's description of human nature has been labelled pessimistic or as prefiguring a misanthropology; nevertheless, he always denied any charges of misanthropy or of a misanthropic conception of human beings by inviting anyone who wanted to criticize him, to make an introspection of her own mistrust towards her neighbours, even knowing the existence of a State and a system of punishment administrated by it. It seems that given the raw material our human nature is, we cannot achieve peace but under an absolute rule. But how could beings as such, want to achieve peace? Why should they want to escape from the state of nature instead of enjoying all the advantages of war? After all, Hobbes acknowledges a rough equality in instances where anyone can kill anyone, if not by force, by the use of intellectual strategies. What's more, the fundamental law of nature refers to the search of peace, that is, "that every man, ought to endeavour peace, as far as he has hope of obtaining it; and when he cannot obtain it, that he may seek, and use, all helps, and advantages of war" (*Lev. Ch. XIV, 5*). Natural laws to Hobbes, are precepts found out by individuals solely by reason, displacing the divine revelation that tradition relied on. If we assume the feasibility of this assumption under the conditions in the state of nature, there still seem to be no reason why these war-prone individuals should follow the precepts of reason, most of all considering the relativity of final purposes he admits of: peace doesn't need to be a universal end, it can perfectly contend with others like competition, honour or glory, namely passions that Hobbes point as the causes of quarrel along with diffidence.

If Hobbes's inventory of human passions would end at this point, there couldn't be any natural way out of the state of nature; only a *deus ex machina* directly or by revealing himself to a prophet, could stop the war. Otherwise how could such a transformation in human nature occur? But the laws of nature are independently justified in Hobbes scheme, nevertheless being only rational precepts considered as laws only in a metaphorical sense, the laws of nature have no coercive power, they can only advice the proper action to do if we

are to attain a given end, to wit, peace. In this scenario Hobbes needs to prove peace as a universally desirable end, thus altering his all encompassing moral relativity and introducing a tensioning factor in an apparent plain subjectivity: the complexity Schmitt stresses. Surprisingly, it is not to reason but to passion that he will turn to in order to signal the path out of the state of nature. This universal passion, this instinct is that of self-preservation, the most powerful passion to Hobbes. Diffidence or fear, that seem in so many points of Hobbes's work to be the main passions leading to the building of peace and commonwealth, are nevertheless the sort of ambivalent passions leading to war as much as to peace (*Lev.VII, 19*).

Diffidence in the state of nature can lead to peace as long as we want to pursue the institution of a sovereign that can provide the security we cannot get from natural relationships, but diffidence can well lead to war in order to subdue others and diminish one's own vulnerability in front of their probable attacks. In Hobbes's picture of the state of nature only an absolute sovereign, this is, one with absolute and indivisible power can solve the security problem arising in the state of nature by replacing the impossible personal trust with coerced reliability.

The ambivalent condition of diffidence makes it an unsuitable candidate for the passion that would get us out of the state of nature. The institution of a central power seems to be the only solution for those who would not choose war, but seek peace, thus following the fundamental law of nature. Seeking peace does not mean unconditional surrendering for that would mean acting against one's self-preservation, seeking peace according to the laws of nature is conditioned to everyone else doing the same (Hampton, 1988, p. 67).

While we can rationally understand that keeping the contracts made is the best way to further our long term self-interest, we can still have doubts whether other people are also rational in this sense, this is, are capable of foreseeing their long term interests, beyond the temporary seductions from cheating.

Nevertheless, if the desire for self-preservation were so strong, the state of nature would be a state of peaceful cooperation without the need of intervention of any central power, cooperation would take place *as being led by an invisible hand*. There would be no difference between human beings and animals ridden by survival instinct living in a natural harmony and coordination. But is not just passion as such but certain passions instead, the causes of quarrel in the state of nature, if Hobbes is to succeed in arguing for absolute sovereignty, he needs to consider each passion in its due proportion for, while too much cooperation would make civil government worthless, too little would make it impossible. If conflictive passions such as glory, diffidence and competition are present enough

as to make the institution of a ruler necessary, the presence of self-preservation among human motivations would retrocede in relevance. According to Jean Hampton, conceding such pre-eminence to conflictive passions would neither be faithful, to Hobbes's own description of human psychology. What she calls the passions account of conflict seems doomed to fail as explanation of war in the state of nature. As we noted in the beginning, Hobbes allows too many contradictory principles in his theory and this is not an exception. His own psychology seems to contradict his political theory.

Hampton resorts to a second possible account of conflict which she calls the rationality account. According to this explanation of conflict in the state of nature, it is not passion but reason that would lead to conflict in the absence of any central power. Analysing Hobbes's conception of instrumental rationality it seems very likely that acting merely out of reason would lead to a non-cooperative scenario and hence, to the persistence of conflict. The conceptual apparatus of game theory and rational choice language appear to come in our aid when trying to understand conflict arising from this source, a rational action in this context is that which maximizes our benefit, something that is easily translatable into inclusive fitness language as the increase in our chances to survive and leave progeny.

If rationality is understood as rational choice of the dominant strategy in the game known as prisoner's dilemma, rationality cannot but lead to conflict. In the prisoner's dilemma the only stable strategy is defection or invasion as Hampton represents this choice. A stable strategy means that no matter what the other player does, I'm better off defecting. In the state of nature this can be translated into robbery, murder or violent attack, none of this being properly unjust. Considering the insecurity that characterizes the state of nature, it is not rare that anyone would prefer to be the first to attack instead of being attacked first, those being the only options available. Diffidence thus, appears as one of the main causes of the persistence of war in the state of nature, if I believe you are rational in the rational choice sense of rationality, then I believe you are up to maximize your benefit whenever it is possible and to any cost. If I have reasonable doubt that you may act in this manner, then it's not in my best interest to pact with you. To Hobbes indeed, it is against the laws of nature to pact in conditions where there is no security of compliance. We find that benefit-maximizing rationality is not what Hobbes has in mind when speaking of laws of nature clearly appearing to human reason.

But does this rational choice rationality adapt to Hobbes's conception of healthy reason? Let's stop for a moment in the tenets of rational choice theory to see what we can do with them in order to understand the interactions between

Hobbesian individuals with these conceptual apparatus. The main assumptions of rational choice with respect to individuals are instrumentalism, individualism and subjectivism. These three aspects are woven together in the core thesis of rational choice, the understanding of “socio-political relations and institutions as the instruments created and used by mutually disinterested and rationally self-interested agents in the attempt to maximize the degree to which they can successfully pursue their particular ends and satisfy their particular preferences, whatever those might be” (Neal, 1988, p. 637). Being rational means to be a utility maximizer, this conception of rational agency can be defined as an “economic-rationality”, whose first commandment is “seek the maximal and efficient satisfaction of your own preferences, given that everyone else does the same.” The complement “everyone else does the same” is not in a conditional form like in the fundamental law of nature where I should keep my natural right *if* everyone is retaining it as well. This questioning of the fact that everyone will seek the maximal and efficient satisfaction, this is, the short-sighted satisfaction of desire, exhibits a different disposition between rational choice theory and Hobbes’s. What’s more, if we assumed this motivational background there would be no way out of the state of nature. Obviously Hobbesian individuals do not have these motivations, if being rational meant to take an immediate advantage of a given situation, with no regard for future consequences, laws of nature could never have the content they actually have, they could only counsel to reap the best gain while you can as the conflict intensifies, making everyone’s life nasty, brutish and short.

Hobbes’s sociobiology of the passions, including the omnipresent desire of self-preservation puts us in an aporetic path: how much warlike the state of nature must be to both make an absolutist sovereign necessary and, on the other hand, to make the pass from the state of nature to civil society possible? Sociobiology tends to agree with Hobbes on the fact that the desire for self-preservation is omnipresent and hence cooperation is possible, but according to modern sociobiologists and game theory specialists, not just some cooperation is possible in the absence of a centralized state but significant cooperation, to the point of making the figure of the ruler unnecessary. Axelrod’s pioneer prisoner’s dilemma tournament (Axelrod, 1984) produced, as a result, a model of how cooperation can thrive even in a mainly non-cooperating environment.

The difference between social contract and invisible hand accounts of cooperation is clear at this point, while the first pretends to point at a particular moment when widespread cooperation emerges (the contract), the second shows how cooperation is the result of an accumulation of countless particular exchanges that produce a result that is not intended by the parts implied in it.

Both have as a starting point self-interest, and neither explains how the first cooperative move is made, for if self-interest is the only motivation acting in human psychology, this breakthrough move can never be made: it cannot be in anyone's self-interest to cooperate first without any assurance of reciprocity, and mostly when the price to pay for being cheated is probably death or serious injury. How the first altruistic move is made in an environment defined by lack of trust, is a matter that both mainstream game theory and rational choice leave unanswered. Hobbes attempts to overcome this difficulty by appealing to a different conception of what a rational action should be, this is, to a normative concept of rationality, that which can best guarantee the natural desire of survival. However, if we consider Hobbes' normativity we are in front of a naturalistic normativity, this is, our reasons for action are moulded not by a transcendental duty, but by our instinct of self-preservation in which all morality relays. There from the question regarding the possibility of morality arises: can we speak of morality if all obligations even those that only oblige us *in foro interno* are founded on self-interest considerations? This normativity of prudence, if we may call it such, could hardly qualify as morality in traditional terms, nevertheless Hobbes's materialistic conception of human nature couldn't ground morality anywhere else than in the most basic and universal affections, and the desire of self-preservation seems to meet those conditions. What's more, Hobbes would say that someone who breaks a covenant "can in reason expect no other means of safety than what can be had from his own single power" (*Lev. XV, 5*). In as difficult a task as defining the way out of the state of nature, a materialist like Hobbes needs to point out a realistic path, something that we can assume could in fact be a motivation to institute civil society given the different conceptions of right and wrong among private individuals in the state of nature, or a motivation that can still be an effective psychological lever to seek for peace whenever it is disrupted. Indeed Hobbes's conception of rational action refers to the search of one's long term benefits furthering one's self-preservation, instead of the short-sighted gain of defection. This reveals us a not entirely relativist Hobbes. Nevertheless, even the appealing to something as natural as self-interest cannot justify a universal cooperation in the state of nature, for it seems clear that not just every individual would receive the same benefits from cooperation. The weak and the poor would not count as equals in the sum of forces, and hence wouldn't be of any value in a purely instrumental conception of people's worth. Why cooperate if for the weak there never seems to be a total guaranty that the strong won't use their power to subjugate them?

However, according to Gert (1996, p. 172), Hobbes seems to sanction a limited rank of desirable goods, namely goodness, power and felicity; however

those goods are so vaguely defined, that anything a human being can desire, can be put under these concepts. Nevertheless, Hobbes opposes the short term goals of desire, to the long term goals which include life, health, and security for the future. This opposition between short term and long term desires is what gives sense to such thing as the laws of nature. Hobbes needs to suppose an intrinsic value to cooperation, in order to make it desirable, even beyond strict self-interest. Hobbes's argumentative strategy is to assume that provided all individuals are risk-averse, if rational, they will choose to cooperate, for not cooperating in a context where only the fools wouldn't, means to wage a war alone, putting one's life at an unnecessary and fatal risk. What does have an intrinsic value for these risk-averse individuals is the preservation of life and life's goods. To Hobbes all morality can be explained from a simple instinct as the desire for self-preservation and peace as its *summum bonum*. Making cooperation the best strategy even for those in weaker positions. This appears very clearly in the image of the *Foole* in *Leviathan*, a paragraph that has been widely analyzed by Hobbes scholars and which we'll quote here in length:

The fool hath said in his heart, there is no such thing as justice; and sometimes also with his tongue; seriously alleging, that every man's conservation, and contentment, being committed to his own care, there could be no reason, why every man might not do what he thought conduced thereunto: and therefore also to make, or not make; keep, or not keep covenants, was not against reason, when it conduced to one's benefit. He does not therein deny, that there be covenants; and that they are sometimes broken, sometimes kept; and that such breach of them may be called injustice, and the observance of them justice: but he questioneth, whether injustice, taking away the fear of God, (for the same fool hath said in his heart there is no God,) may not sometimes stand with that reason, which dictateth to every man his own good; and particularly then, when it conduceth to such a benefit, as shall put a man in a condition, to neglect not only the dispraise, and revilings, but also the power of other men (*Lev. Ch. 15. 4*).

The *Foole* is the one addicted to the prisoner's dilemma, the *free rider* as we should call him nowadays. Hobbesian rational individual, however is not a *free rider* and cannot be so for otherwise there would be no way out of the state of nature. This demystification allows us to put Hobbes in his proper place instead of labelling him plainly as an antecedent for 20th century capitalist libertarianism. Even so, this provision does not solve the problem of justifying the institution of an absolute sovereign for we still need to answer the question of how common is the fool's behaviour. Only a widespread folly would call inevitably for an absolute ruler.

We should keep Schmitt's notes in mind and take into account the idea of complexity as part of human nature; it comes to mean at this point that both, an instinct of self preservation and disruptive passions, are part of normal human

psychology. These contradictions do not correspond to different groups of society necessarily, but they can take place even in one and the same individual. One is a battlefield of different passions struggling to take advantage over the others. Hobbes explains it as the inconstancy of our constitution and thence of an inconstancy of the names we give to things. Not all men are affected by the same things in the same way, and not even the same men at different times. Hobbes's relativism goes across and within individuals.

To put it in more simple terms, what this implies to the argument against the Foole is that one doesn't need to be a *full-time fool* to provoke conflicts in the state of nature. A similar thing takes place in society were those conflictive passions become exteriorized. To Hampton conflict behaviour, far from being a natural trait of us being rational and/or passionate, is the expression of an ill rationality. Some passions, as glory-seeking and competition, prove to be irrational if our most natural aim is self-preservation and the attainment of peace. According to Hampton, these disruptive desires can be interpreted as psychological perversions, resulting from sick bodily motions. Thus we can differentiate sick desires counter to self-preservation from a "healthy deliberation" which takes self-preservation as its goal. Considering self-preservation as a naturalistic goal, thus underlining Hobbes' affinity to modern sociobiology, avoids the assumption of an intrinsic good as Aristotle would have had it (Hampton, 1988, p. 41).

Reason is the slave of passion (to Hobbes, as it is to Hume) but not of just any kind of passion: only those passions arising from a healthy body can make rationality *emerge* as a property of bodily motions. Conflict sets on when people act from sick desires. Though Hampton didn't make explicit the idea of a complex subjectivity, her idea of a healthy deliberation is of some help to understand how rationality and irrationality can be states of mind not necessarily belonging to stabilized groups of people. However, when likeminded individuals cooperate to achieve an end, thus attaining a certain inside-group peace, these states of mind can be interpreted as belonging to groups of people, that can shape what Nozick (1999) calls "security agencies", a pre-state formation which may explain the figure of sovereignty by acquisition, as the competition between agencies for hegemony. Evidence can be found in *Leviathan* for the existence of groups in the state of nature when Hobbes says that even being every man in war with every other; he cannot do without cooperation from a small group.

The idea of a complexity of motivations can find support in Hobbes's definition of deliberation as the end of the liberty to do according to one's desires, aversions and appetites. Deliberation is still a property we share with beasts which also experiment succession of these states and choose one to act

on, or to finally abstain from, action. The last appetite or aversion in the chain of thought is what we call will. Will is not a rational appetite we're still moving here in a field that we share with beasts, otherwise, Hobbes adds, there would not be irrational desires. This is Hampton's thesis: those desires opposed to self-preservation are irrational and have to be dismissed in order to attain peace. Hampton's thesis gives us a cue to speak of second order desires, a term and a whole dimension that might seem foreign to Hobbes's theory. A second order desire is the desire to have certain desires and reversely, not to have some others. Desires contrary to self-preservation can only be the result of a sick disposition and hence cannot be wanted: if we were sane, we wouldn't want to have those conflictive desires. We cannot reasonably want to endanger our self-preservation, at least this is how Hobbes understands individuals' motivations. The psychological solution to the origin of conflict remains faithful to Hobbes's individualism, nevertheless Rousseau's well known criticism to conflictive passions in Hobbesian state of nature brings to light the fact that passions like glory seeking, honor and competition, are the result of living in society or at least in a secondary state of nature as Rousseau understands it. Glory-seeking is a social passion for glory is the reputation of superiority over others, and a reputation can only be created if social bounds are more or less stable. Some passions cannot be accounted for on a solely individualistic basis.

What makes us different from other social animals, according to Hobbes, is that we cannot achieve harmony spontaneously. This would be so, to the philosopher of Malmesbury, due to certain specifically human traits that make unmediated agreement impossible. Social animals do not have coordination problems because they cooperate thoughtlessly, human beings on the contrary do think and do have conflicts regarding what the general good is and how it is to be achieved and if it is worth to achieve it and at what cost. This is part of the complexity social animals are lacking. To Phillip Pettit, language is at the core of Hobbes's contractarianism and is our biggest difference with animals "Language is an invented technology, not a natural inheritance, according to Hobbes, and it is a technology that transformed our kind, introducing a deep cleavage between us and otherwise comparable animals" (Pettit, 2009, p. 2). Thought and even mind is constructed by this technology called language. There's no divine mystery in language and Hobbes doesn't show a great interest in unfolding its origins either.

All the disagreements arising in the state of nature, in Hobbes' eyes can be reduced to linguistic disagreements so to say. Given Hobbes' extreme nominalism, all conflict referred to value is ultimately a conflict about what names we give to things and situations. Thus, conflicts in the state of nature can

be understood as conflicts over the names “yours” “mine”, “just” and “unjust”, “true” and “false”, “good” and “bad” and so on. We can call this, following Hampton’s terminology, the language account of conflict. Indeed, to Hobbes there’s nothing universal but names (*Lev.* Ch. IV, 6).

From an evolutionary perspective, to commit an anachronism, language is a technology that has allowed human beings to depart widely from their closest living ancestors, a technology that has made science and all its goods possible. Nevertheless, the use of language is far from being a stronghold of pure rationality; the use of this tool instead, is imbued with passion. Indeed in Hobbes’s table of sciences what he lists as the consequences of speech are parallel to the consequences of passions as consequences of exclusively human traits; ethics and the sciences derived from language, share the place of being exclusively human matters, in being so, they equally qualify as causes of conflict in the state of nature.¹ The different sciences derived from language reflect the extent of Hobbes’s nominalism, rhetoric forms part of the sciences associated with the consequences of speech, along with poetry, logic and the science of just and unjust, which we may call jurisprudence. His strictly nominal understanding of claims of right is reflected here in how he puts the science of just and unjust by the side of poetry, logic and rhetoric. The difference lies in its function, while the acknowledged function of rhetoric is persuasion; that of the just and unjust is contract, by contract we name what is just and what is unjust: these categories are brought to existence by contract.

Rhetoric, on the other hand, is concerned with persuasion and in its proper function Hobbes sees the danger of sedition. Persuasion thus is a mix between the consequences of language and the consequences of passion. Rhetoric is the use of language that can lead us to mistake and to conflict. In his definition of exhortation and dehortation we can appreciate Hobbes’s ultimate distrust of these uses of language and how it moves passions to get actions to be done (*Lev.* Ch. XXV, 6).

Rhetors employ language to induce people to act not for their own good, but for his or hers, only accidentally could an orator produce good to the one who receives the counsel. The very conditions in which such messages are delivered make it impossible for reflection to take place, for when an orator speaks to a multitude in a crowded place addressing her discourse to hundreds of people, we cannot have the time or the meditation needed to understand if

1 Hobbes’s division of the sciences all through his work appears highly contradictory for scholars. In *Leviathan*, moral philosophy appears as a branch of natural philosophy, while in earlier texts as *De corpore*, moral and political philosophy appear as separate branches. Vid. Finn, 2004, pp. 10, 11.

the actions or omissions advised aim at our own good or serve exclusively the interests of the orator. This is the seduction of language Hobbes fears as a source of sedition. Many public orators tried, in Hobbes's eyes, to convince people of the veracity of some seditious doctrines questioning subjection to civil laws and sovereign power, appealing more to passions than to logic.

Language thus is a sort of perverse technology that allows us to talk about things as well as to manipulate them at will, taking advantage of how passions are attached to certain words as tyranny or salvation of the soul. Nevertheless, as Phillip Pettit shows, Hobbes himself represents a case of this seductive use of language not only because he is evidently manipulating fear in his dramatic description of the state of nature, but also because of his constant redefinition of traditional political concepts, as freedom and servitude. This is part of his polemical addressing of ancient philosophy, mainly with Aristotle and the Scholastic tradition. Moreover, Hobbes's endorsement of scientific method proves itself whimsical for while he is defining the principles of an objective science, his own use of language in so doing performs an undeniable persuasive function. Nevertheless in Hobbes's declared aims finding the only and true moral science was of prime importance and to that matter he sought to reveal what he thought were the tricky uses of language. His nominalism is the proof of an attempt to exhibit language devoid of rhetoric ornaments and the delusions of political and religious pretensions: there's nothing universal but names, words, no other value beyond subjective appetites and aversions. One of the most salient consequences of his nominalism is his particular idea of equality, no essential difference can be claimed among humans, and all pretension to do so is qualified as vain glory and hence as a cause of quarrel in the state of nature.

So, in the state of nature we have conflict arising from passions (the passion account of conflict, following Hampton), arising from an inappropriate use of reason (the reason account of conflict, produced by the actions motivated by an economic rationality) and a linguistic account of conflict. The only way out of the state of nature in line with the so called linguistic account of conflict, is again the absolute sovereign, whose task will be to end with the plurality of judgements regarding good and bad, just and unjust, and so on. The institution of a sovereign is the institution of a judge who will have the final word in all linguistic quarrels.

[...] people are in the state of nature, which is a state of war, as long as they are each judges of good and evil. For each to be private judges of good and evil is for them to be guided in what they call 'good' and 'evil' by fluctuating and sometimes idiosyncratic appetites and aversions. A step beyond this sort of guidance – the step from prescience to a science of good and evil – is made when agents reflect that war is the consequence of each being guided by private appetites (Sorell, 2007, pp. 133, 134).

The real science of good and evil, the one and only true moral science is that which is able to reveal the connection of virtues with the attainment of a “peaceable, sociable, and comfortable living”. What the social contract does is to make this connection evident. Abandoning the plurality of private judgement in the hands of the sovereign is the safest way to achieve peace, indeed, according to Alexandra (1992), the dilemma in the state of nature can be represented as “retaining the right to judge for oneself which actions are most to one’s advantage” or “not retaining that right”. These strategies can be also described roughly as “acting in a way that leads to the condition of war” or the reverse strategy of “acting in a way that leads to the condition of peace”. Peace being defined as the renouncement of one’s right to judge independently, this is, to assign the names “good” and “bad” “just” and “unjust” at will, the sovereign appears as the one who’s called to sanction all disputes arising from matters of value, whether epistemological or moral, and has the last word putting an end to disagreement. True moral and civil science can only be achieved inside the commonwealth, once names have been fixed by the sovereign.

In fact, according to Pettit’s thesis, it is by words that the sovereign acquires power, being the act of authorization the founding political act. Contract is the giving of one’s word and the acceptance of it by another. Keeping one’s word is fundamental to achieve the stability of the commonwealth. Nevertheless, weakness of will seems to be part of imperfect human nature, and more than just words are needed to assure others are giving up their right as well. As we noted when speaking of diffidence, in the state of nature we can never be sure that others will keep their word and this doubt is enough to abstain from cooperating with others, as is commanded by the laws of nature. To overcome diffidence we need to be able to trust one another, to give our word knowing that others will do the same. But how can we know that in the state of nature? Can we trust others if we do not have sufficient information on the nature of our interactions? The figure of the sovereign should provide the sword to enforce what the words say, turning them into more than *just words*. However, once again we find the problem of contractarian explanations of origins: specifying what was the first step to trust that allowed us to institute a sovereign. While altruism is at the same time an omnipresent and elusive concept for sociobiology, it seems completely absent from Hobbes’s conceptual worries. Benevolence, however, takes the place of altruism as the first cooperative move. It is defined as a voluntary act and thence oriented to the individual’s own good and, in being so motivated, requires a proper answer from its beneficiaries. The fourth law of nature points in that direction: “that a man which receiveth benefit from another of mere grace, endeavour that he which giveth it, have no reasonable

cause to repent him of his good will” (*Lev. Ch. XV,16*). The fourth law of nature, guarantees thus, the first cooperative move in, what is at first sight, a cooperation-hostile environment.

In conclusion we can state that Hobbes can plausibly be read in a sociobiological key to the extent that his philosophy is an attempt at tracing the origins of sociability from a particular conception of human nature. This very construction of a complex human nature –underpinning politics as such– seems to make impossible an exit of the warlike state of nature, nevertheless it’s not the contract, but human nature itself which seems to be the key to overcome such a condition. The natural desire of self-conservation on the one side and the natural law that mandates benevolence on the other, help Hobbesian individuals out of the state of nature. Understanding Hobbes as a sociobiologist, have the effect of relativising the importance of contract in Hobbes’s own argumental strategy. However, no account of the conflict in the state of nature seems to provide a complete and fully coherent answer of how are these Hobbesian individuals to make their way out of a state that’s so natural, as naturally undesirable.

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