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 Title: Third Paper- Hobbes/Hume

# Hobbes argues that we have reason to keep our agreements (“covenants”), even in the State of Nature. What is his argument? Is it any good?

In his famous book, the *Leviathan*, Thomas Hobbes talks about mankind’s natural state, which is a state that is packed with fear and is inherently violent, and uses that as the premises to form his arguments about the need for a commonwealth to protect man’s best interests. People in the state of nature, assumed to be driven by their passions and desires, would seek to destroy each other but because of the need to survive and live in peace, they would naturally strive towards a means of attaining it, a need which forms the basis for the social contract. In the paper, the assumptions and reasoning given by Hobbes to devise the different laws of nature will be discussed with special emphasis on Hobbes’ third law of nature, which I argue to be rational and reasonable. In this context, Hobbes’ attempt to respond to ‘The Fool’ will be explored to maintain that Hobbes’ arguments that it is reasonable to keep our agreements covenants even in the State of Nature are good and valid in the sense of maintaining every person’s best interest in their natural state.

The natural state which Hobbes refers to is a society where a government is non-existent, and wherein there are no formal rules or laws, and thus no common power that restrains human instincts or nature. He describes it as a state of “war of every man against every man” in which individuals in their quest for gains would be driven to destroy one another (Hobbes 80). In this state, life is "nasty, brutish and short" (Hobbes 78). In turn, a society is created in which each individual lives a life of perpetual war and constant fear. Although Hobbes' characterization of the state of nature is to a certain extent pessimistic, he provides a plausible and empirical basis upon which he constructs these assumptions. One of them is that people are hardly dissimilar in their key physical and mental attributes, and one cannot be expected to solely dominate the other for too long. No overarching authority exists to restrain their instinctual drives; the pursuit of power, self-preservation, and glory or reputation. This leads to a continual competition between individuals serving as a source of quarrel between them. The uncertainty of the behavior and character of every other person in the society leads to a lack of confidence and trust in each other’s motives, which further pits them against one another.

To overcome this unruly and violent state, Hobbes’ suggests relying upon two characteristics; reason and passion. In humans, the foremost passion is their fear of death and maintenance of their own life, followed by peace, comfort, and gaining resources. A state of war conflicts with man’s passions and thus reason would lead him to find it useless. Thus reason and fear help man escape such a state, by providing him a drive as well as a way to escape it. This forms the basis of natural laws that lay the foundations for peace. The first of these laws is that “every man, ought to endeavor peace, as far as he has hope of obtaining it” (Hobbes 80) outlining that peace is necessary to improve man's chance for survival. The Second Law of Nature is that in order to attain peace, there is a need to create covenants or agreements. The third Law follows the second that it is not merely sufficient to form contracts or covenants, but to ensure that these contracts are kept and upheld.

According to Hobbes’ reasoning, the third law of nature lays the foundation for ‘Justice'. It binds us to keep to our agreements because these covenants or agreements serve as the critical vehicle by means of which our rights are formulated. However, there exists a ‘Fool' who questions the third law and argues on the basis of Hobbes' earlier reasoning that it can be sometimes rational to break covenants. The Fool bases his questions on Hobbes’ earlier premises that in a state of nature, wherein there is no power to enforce cooperation, no one will trust the other to do his part of the agreement or keep his promise. Therefore, a lack of trust would ensue; and so, how can it be always reasonable to maintain covenants? Hobbes however disagrees and argues that it will always be unreasonable to break covenants, despite the chance for apparent short-term benefits for a lucky individual.

In answering the Fool, Hobbes’ provides different reasons as to why maintaining contracts even in the state of nature would be rational, in light of the third law of nature. The first defense is the third law's basis within the first and second law, which obliges man to enter into covenants in order to maintain peace that everyone needs to survive. The covenant will involve a mutual transfer of rights, and thus, to not have something this important to become in vain, it is necessary for every individual to keep their agreements. Moreover, The Fool is foolish to think highly of the short term gains from not keeping one’s end of the deal when the other party has already acted because it would lead to bad consequences and adverse outcomes for those who break the contracts. These adverse outcomes can be in the form of social exclusion in a union, alliance or confederacy; something which too is necessary to survive in the state of nature. Additionally, breaking a covenant is a form of declaration that one finds the notion of keeping agreements as futile which leads to the creation of suspicion in existing and future confederates and allies that such an individual may not cooperate properly with them.

The other reason not to violate covenants in the state of nature is because it carries the risk for the contract-breaker to termed unjust by his society, which would associate the vice of injustice with him, and with that a social stigma. This would provide disadvantageous in a number of ways. First, it can put the life of such an (foolish) individual at risk. Secondly, it is beneficial for the individual to be seen embodying the virtue of justice, because only those who hold the virtue of justice can achieve or carry the one of the best possible felicity, which is happiness, and other things that a person desires greatly. Since justice is necessary for such a felicity, therefore justice is in the best interest of everyone, and hence reasonable. Hobbes’ suggestion, therefore, is that only a sincerely just individual, one who strives to always keep his agreements, could be perfectly reasonable. Conversely, a person associated with the vice of injustice would have his allies, contemporaries, or peers discover this trait in him and in consequence, potentially treat him in a terrible way including exiling him or taking his life. Thus, since it is contrary to benefit to be associated with vice, and because everyone values felicity, therefore it is never reasonable to violate a mutual agreement.

A person that does not develop in himself positive virtues and frequently engaging in vice would eventually be discovered. Since it is not possible to conceal his vices from his peers or allies, he may have to bear undesirable consequences for it. This is so because an individual's actions reveal his passions, opinions, and inclinations. It is for this reason that a person tries to speak with consideration since he fears offending someone (Hobbes 55). It is because actions can reveal a person’s beliefs and the inner truth about them, it will cause other people to reciprocate. A person that violates covenants will have this trait or vice discovered in him sooner or later, even if he manages to get away with it for a little while. It is this neither advisable nor rational to engage in such an act.

In the state of nature, one would be naturally reliant on the assistance and help of his allies or confederates. If they were to discover that he is one who breaks agreements, this would alienate him from his group and lessen his chances of survivability. To avoid the risk of such happening, it is reasonable to keep valid covenants when the first party is also keeping it. Moreover, it is always beneficial for a person to remain just and do whatever is required to be seen as such. Justice, in turn, requires one that he performs any duty that the covenant binds him to. Thus, if these two premises are valid, then it logically necessitates that it is beneficial for everyone to perform his covenants and hence it is perfectly reasonable to do so.

Furthermore, for Hobbes, a just man is one who is always reasonable and does not engage in unjust actions. A just person’s manners and actions thus conform to reason, and he is careful in maintaining all his actions to be just. If the “not-performance of a covenant” is injustice, then a just person would never break it because he does not engage in unreasonable actions (Hobbes 88). Moreover, any benefits that a fool would perceive from acting unjustly could pale in comparison to the inevitable bad treatment he would receive from his confederates or peers, when they discover that such a person can violate agreed upon terms at any moment. In case of no harsh or terrible punishment, such a person would at the very least find himself socially excluded from the group. Therefore it is better to behave justly rather than unjustly, which provides a solid rationale to uphold one’s covenant.

To conclude, Hobbes’ natural state, the fear of living in a perpetual state of war would drive men towards peace by engaging in a covenant, or social contract, in exchange for security, peace, and order. It is possible for people in the state of nature to act unjustly and violate agreements, but it would be unreasonable to do so. Hobbes’ successfully argues this case relying upon the concepts of justice, the need for social alliances, and adverse consequences of being discovered as acting upon foolish vices, and goes on to derive more natural laws that help him build the case for a commonwealth that would work to the benefit for all.

# Works Cited

Hobbes, Thomas. *Leviathan: Or the Matter, Forme and Power of a Commonwealth Ecclesiasticall and Civil 1651*. Ed. Rod Hay. Hamilton, ONT: Green Dragon, McMaster University Archive of the History of, 1999.