

LIFE, LIBERTY AND SECURITY: USING THE SCIENCE AND POLITICS OF
THOMAS HOBBS IN PUBLIC ADMINISTRATION

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ABSTRACT

Can the political philosophy of Thomas Hobbes be applied to public administration theory development? Insecurity and unease follow the events of 9/11, and scholars in the field respond by searching for an acceptable relationship between security and liberty. Locked into a historical horizon that barely dips into the landscape of thought before the Founders, before the Declaration, before the Constitution, scholars rarely make their way back to the one political philosopher who has produced the most complete system of civil society born of war. Could responses benefit from such a coherent system?

Renasant issues are of security and liberty, of civil society born out of abhorrence of war, and of the rights of individuals who chose to abandon the war of all against all. The comforts of commodious living gain new salience when contrasted against increased integration of the individual into the artificial muscles and sinews of what Hobbes called the Artificial Man, the monster, the Leviathan that civil society has become.

What are the rights of survival of a political system who prime purpose is the keeping of the peace in a world where wars, like thunderstorms, are always impending as soon as the last has gone? What are the rights and powers of a sovereign whose sword would keep them all in awe?

The present study surveys a recent spate of response by a special issue of the field's leading journal. Using the history of ideas approach, the study asks whether reference to Hobbes's understanding of civil science in civil society would not produce additional insights into the nature of post-9/11 security and the freedom of ourselves, both from premature and violent death, and the awesome power of the Leviathan.

Key words: Hobbes, Leviathan, security, liberty, political philosophy, science, politics, civil society, public administration, political theory.

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TABLE OF CONTENTS

CHAPTER	Page
I. INTRODUCTION	1
Key ideas of Hobbes to be studied in the Dissertation..	4
Why Hobbes?	5
Method of Study.	6
Literature Survey	9
Organization of the Dissertation	11
Relevance and Importance of the Research	12
II. LEVIATHAN DESIGNED	14
Brief Account of Hobbesian Times.....	14
Hobbes's Method of Politics	18
The Purpose of Method	24
The Origins of Power	28
The Architecture of the Leviathan	31
Rights Surrendered.....	33
III. HOBBS ON SECURITY AND LIBERTY.....	36
The Hobbesian Approach	38
Liberties	43
Disobedience	46

Might as Right.....	52
Against Liberty	56
Law and Institutions	59
Private Objectors to the Law	62
My Position	70
IV. SECURITY AND LIBERTY IN PUBLIC ADMINISTRATION.	74
The Current Discussion	74
Rosenbloom on Security and Liberty	78
Hobbes on Rosenbloom’s Argument	80
The Consequence of the Hobbesian Critique on Rosenbloom Argument	80
Michael Spicer on Security and Liberty.....	81
Hobbes on Spicer’s Argument	87
The Consequence of the Hobbesian Critique on Spicer’s Argument	91
Lisa Nelson on Security and Liberty	92
Hobbes on Nelson’s Argument	95
The Consequence of the Hobbesian Critique on Nelson’s Argument	97
Jon Gould on Security and Liberty	99
Hobbes on Gould’s Argument.....	100
The Consequence of the Hobbesian Critique on Gould’s Argument.....	101
Melvin Dubnick on Security and Liberty	103
Hobbes on Dubnick’s Argument	103
The Consequence of the Hobbesian Critique on Dubnick’s Argument ..	104
Hobbes in Future Discourse in Public Administration	105

V. HOBBS AND PUBLIC ADMINISTRATION.....	111
Hobbes and the Science of Politics	111
Science and Reason in Public Administration	123
Conclusions	130
BIBLIOGRAPHY.	134

CHAPTER I

INTRODUCTION

“They that can give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety” – Benjamin Franklin

*“Security is like liberty in that many are the crimes committed in its name”
- Justice Robert H. Jackson*

To those interested in political matters, the early years of this century seem to be about attaining peace and ensuring security – both at home and abroad. The events of 9/11, the wars in Iraq and Afghanistan, Hurricane Katrina, Abu Gharaib, the NSA wiretapping controversy, and other similar governmental actions have all come together to give us a “sense of living in dark times” (Stivers, 2006). Scholars and those in the public arena are looking with a renewed interest, into the dilemmas and conundrums of governing amidst insecurity and unease. In these “dark times” questions of security and peace have become central to governance.

Even as we wage a “War on Terror”, there is no central narrative that helps public administrators shape their decisions and actions (Dubnick et al, 2006).

Unlike past wars, this enterprise of the “War on Terror” lacks a central story that has been a critical element in developing support and directing the war effort. Public administrators struggle to find coherence of vision in a system with multiple narratives. We remain unsure what the story is and how it all ties together. In uncertain times, we need a political vision that helps fashion a political cosmos out of political chaos (Wolin, 1960). We need a coherent narrative to help challenge us to reconstruct from a shattered, messy world of meanings and their accompanying institutional expressions, to a political vision of a coherent system that encompasses the disorder of the actual world.

I contend that Thomas Hobbes provides us with such a vision.

Borrowing the style of a former president of the United States, whose personal fears may match our present national terror, we can say: We are all Hobbesians now. (Richard Nixon’s original observation was: We are all Keynesian now....”). John Wells (2004) argues that the terrorist attacks of September 11 have inevitably made us retreat away (albeit temporarily, in his view) from the “Lockean assumptions of American society” (p. 235) towards a Hobbesian society where the public realm becomes a place of security and state control while liberty is relegated to the private sphere. We seem to have been jolted from a Lockean utopia to a harsher Hobbesian reality.

The very fact of a vacuum that tells us to go back 400 years for a context within which to understand today’s fears and its implications for liberty and security, raises the question whether the depth of our theorizing on the subject

measures up to the standard set there and then. This vacuum suggests something we have known all along, but may have hidden from ourselves.

Arguably, no political philosopher has been as obsessed with matters of peace and security, than Thomas Hobbes. Of his own birth he said that in 1588, the year of the Spanish Armada, his mother gave birth to twins: myself and fear (Aubrey, 1962). Of his own actions at the time in which his country suffered the deepest fear from internal causes, when his king was executed, he described himself as “the first to flee” and confessed to his own “extraordinary timorousness” (p. 156).

Leviathan, Hobbes’s most important political treatise was published in 1651 amidst the chaos of the English Civil war. Hobbes left England for France to avoid being persecuted for his support to Charles I. In the eleven years that he spent in France, he wrote passionately articulating his fears and hopes for England. He developed a philosophic system that “set before men’s eyes the mutuall Relation between Protection and Obedience” within a commonwealth (*Leviathan*, Review and Conclusion, p. 728).

Writing of humankind at large, he described his fellow man as preoccupied by the search for power after power “that endeth only in death.” Man, engaged in a war of all against all in his natural state, joins into society only to avoid a premature death at the hands of his fellows. For security, and security only, man set up “a Mortal God” that “would keep them all in awe” and from killing each other. The sovereign as the sole entity with the power able to enforce promises of one man to another would enforce their covenants and contracts: “For

covenants without the sword are but words and of no avail to a man at all.”

(Leviathan, 1968, Chapter 17, p. 223)

The English philosopher Michael Oakeshott (1966) considered *Leviathan* the greatest “masterpiece of political philosophy written in the English Language” (p. viii). Hobbes’s political philosophy provides a standard and context by which reflection on political matters can proceed, especially on issues that gave rise to the Anglo-American political philosophy of America’s Founders. It is my intention to use Hobbes’s system developed in *Leviathan*, to examine three ideas in Hobbes and show how these ideas can serve as a standard to indicate the depth, or lack of it, of present-day dialogue in the scholarship in Public Administration.

Key Ideas of Hobbes to be examined in the Dissertation

1. Hobbes’s faith in the techniques of reason and science (materialism, empiricism, and nominalism) to gain insight into how to think about man and governance.
2. Hobbes’s vision of government and the logic to erecting the sovereign to adjudicate conflict and maintain peace among the subjects according to laws -- using reason to develop and explain a civil society.
3. The relationship between security and the protection of those purposes for which Man came into a political covenant to begin with: the protection of their lives, their liberties and their property.

This dissertation will attempt to examine in detail the three areas to be studied and compare the current analysis in the writings of contemporary writers in Public Administration to the depth of understanding provided by Hobbes’s

discourse in these areas. The outcome of such a comparison will be the development of political theory to demonstrate that Hobbes's system is relevant to conversations that we are having or *should* be having in our literature.

Why Hobbes?

Thomas Hobbes is not usually seen as a major figure in the foundations of American politics and government. That honor goes to John Locke.

Nevertheless, a variety of important interpreters have considered Hobbes to be a giant in the political philosophy of modernity (namely C.B. Macpherson, Michael Oakeshott, Mark Roelofs, and Leo Strauss). In addition, Hobbes has been called the father of modern liberalism (Roelofs) as well as the father of modern authoritarianism if not absolutism (Strauss). He has been considered the political legitimator of modern capitalism (Macpherson), the first political scientist, based on his affiliation with Galileo and Descartes, the last medieval moralist, based on his origins in medieval rationalism, – in short the progenitor of key characteristics associated with modernity. Hobbes speaks, albeit in seemingly different voices, to various audiences in the modern political spectrum.

He attempted a coherent political system, free of the self-contradiction that he called “absurdity”, and his mature work, specifically the *Leviathan*, serves as a model against which to compare the adequacy of today's theories that attempt to give a place to a politics of liberty and an administration of security within a general theory of politics and government.

Method of Study

The method will be a detailed examination of the positions to be compared. It is one of comparison and contrast between Hobbes and contemporary public administration theorists. More specifically, the method will be one of interpreting Hobbes's ideas (in *Leviathan* and *De Cive*) and comparing these ideas of governance to relevant conversations that we are having in public administration.

Isaiah Berlin (1990) and Sheldon Wolin (1969) have argued that political theory is always concerned with the connecting of the past to the present. The hope is that in so doing we develop a greater understanding of how history, context and categories affect the study and practice of governance. Wolin called such endeavors the revival of "political wisdom". I believe that the study of Hobbes's writings (as a historical text whose thoughts are alive in our practices today) provides us with the possibility to find common experiences that enable us to engage the historical text, understand its meanings, and draw consequences for governing today. It will be a process of dialogue that compares the ideas and institutions of one period and culture with our own. In that sense, Hobbes provides a "distant mirror" for us to see ourselves and our institutions (Terence Ball, 2001, p. 21).

Though Public Administration has not consistently looked back to the original political and historical philosophers in the ongoing enterprises of theorizing and the interpretation of ideas, it has been demonstrated that much can be learned from such an enterprise (Spicer, 2005). References in recent

literature include Plato, Aristotle, Hegel, Locke, Hume, Rousseau, Weber, Heidegger, Arendt, and others, including Nietzsche (the last-named particularly among postmodern theorists).

It is in this tradition that I will examine and analyze Hobbes's *Leviathan* for its application to current public administration in the three areas to be studied.

The question of what specific moves one should make in doing such theory development is very challenging to answer satisfactorily. The nature of politics and political questions is that they are inherently pluralistic. There are no monistic "correct" answers to questions "Who should rule?" "What are the rights and liberties of citizens?" "What are the powers of governments?" There is no one "correct" method of arriving at answers to political questions. Among established normative theorists there is no generally accepted way of theorizing or even agreement on available procedures to try to answer philosophical questions of governance (Spicer, 2005). As Isaiah Berlin wrote in considering questions of political philosophy:

"It is not only that we may not know the answer to [these] questions, but that we are not clear how to set about to answer them –where to look-what would constitute evidence for an answer and what would not.....[W]e are puzzled from the outset, that there is no automatic technique, no universally recognized expertise, for dealing with such questions.....[N]either induction (in its widest sense of scientific reasoning), nor direct observation (appropriate to empirical enquiries), nor deduction (demanded by formal problems) seems to be of help (1979, p.146).

Despite these difficulties, I will attempt to develop a systematic method of analysis drawing from the tradition of the history of ideas approach espoused by Berlin (1979, 1997), Wolin (1969, 1960), Spicer (2004, 2005), Sabine (1973) and

others. It is very difficult to articulate an uncontested, satisfactory scheme or procedure to undertake in the study of the history of ideas. However, through a thorough examination of Hobbes's ideas, I will attempt to understand basic patterns and concepts in Hobbesian thought, as expressed in his writings, by "entering into his mind". I will attempt to draw insights from his thinking and logic. I will interpret his ideas, while drawing on other interpretations of terms and concepts, and try to relate them to contemporary conversations on those topics. I believe that this approach will form a plausible foundation to develop an interpretation and critique of Hobbes's political ideas (in the areas of his scientific method, his vision of the sovereign, and the balance of security and rights) that will be useful to our discourse in public administration.

Stillman (1998), and Stivers (2000) have cogently argued that the proper examination of the history of political and social ideas will be helpful to the study and practice of contemporary public administration.

The history of ideas and their analytical analysis gives theory a dual purpose: understanding and guidance. Where scientific explanations lay out causes, interpretations reveal meanings. It is through such an approach that a normative theory of governance can be developed. Some scholars suggest that contemporary public administration cannot operate without an adequate theory base. Waldo (1948) and Wamsley (1996) have expressed the need for a continuing effort to develop theory in public administration while noting the inadequacy of normative theory in the field. In many respects scholars in the field are still struggling to find a coherent normative theory of governance.

Hobbes's *Leviathan* provides us with a coherent, consistent vision of a political order that provides a starting point for, what Oakshott (1966) calls "reflection on political life" (p. x). It may be through this reflection that we can start to understand current practices and conversations on governance and open up future possibilities outside of our current discourse. I believe that the *Leviathan* as a well-thought-out treatise provides a framework that can exhibit how the past reaches into the present as we continue to search for political wisdom and sharpen our thinking on matters of governance.

Glenn Tinder (1979) reminds us that great thinkers crystallize the ideas that illuminate our reality and thus guide action and research. I believe Hobbes fits that bill. It was Hobbes, arguably, who more clearly than any other English political thinker informed our understanding of power, politics and governance. Even though Hobbes has often been overlooked as contributing to the development of the thinking behind American politics and government, there is no denying Hobbes his place in the development and practice of liberalism.

For these reasons this dissertation will examine how streams of current thinking in Public Administration might benefit from the philosophical channeling of political thought by Hobbes.

Literature Survey

Social scientific and policy-analytic studies conventionally are preceded by an extensive literature survey. The same is not appropriate for an exercise of political theorizing. Such theorizing consists of constructing a persuasive argument. Such an argument must be exhaustive to make specific points, but

need not depend on a continuous recitation of literature. This is especially true of Hobbes who has been written about for over four hundred years.

Only the appropriate literature relevant to making an argument will be cited either in support of a position or an interpretation or to demonstrate another interpretation and acknowledge other streams of thought on a position. In each analysis, the relevant Public Administration theorists will be included with a summary of their position or argument on a particular matter.

The literature will consist of:

First, the position of the chief protagonist: Hobbes in his *Leviathan*, as well as *De Cive*, *De Homine*, and *De Corpore*.

Interpreters of Hobbes: Strauss, Warrender, Oakeshott, Macpherson, Gauthier – their work to be applied where differences in interpretation would produce consequentially different results in application to the administrative theorists.

The public administration theorists to be included will be selected from a range of current theorists.

For the section on the tension between security vs. rights the theorist will include (but not exclusively): Lisa Nelson (2002, 2004), Anthony Lewis, (2002), Carol Lewis (2002), Spicer, (2002), Rosenbloom (2002) and others from Public Administration Review writing after September 11, David Cohen, and John W. Wells (2004), Robert Lineberry (2003) and others writing on the subject since September 11.

For the section on technique and method of inquiry in public administration: Jay White, (1992, 1994), Richard Stillman (1990, 1991), Gary Wamsley et al (1990), Dwight Waldo (1984) and sources in Public Administration Review, Administrative Theory and Praxis, and Journal of Public Administration Education, that address philosophy of inquiry in public administration.

Organization of the Dissertation

The dissertation will consist of five chapters:

Chapter I: The current state of governance and the central questions in Public Administration in a post-September-11 world – the tensions and contradictions that have arisen and how we are talking about it. This chapter sets up the specific issues to be examined and the appropriate methodology for the dissertation.

Chapter II: The overall framework of Hobbesian thought – his development of a civil society, the causes and nature of civil societies, its internal mechanisms, the power and insight of his analysis, and the coherence of his system. This chapter will also address Hobbes' faith in technique and science (civil science) and the development of his method of analysis to resolve political questions (his philosophy of inquiry).

Chapter III: Hobbes on the relation between security and liberty and his thoughts on how to think about this relation.

Chapter IV: A comparison of contemporary scholars and their thoughts on issues of security vs. liberty - How do they propose to resolve this tension in the light of how Hobbes thought about it? What can we learn from Hobbes to use in the

current discussions on this matter? What are the consequences of thinking about this issue using Hobbesian logic?

Chapter V: Conclusions – Have we used Hobbes' ideas to sharpen our own thinking and provide clarity in addressing some vital issues in our current discourse with regard to our faith in science as a means to finding answers to administrative questions? How have we benefited by Hobbes's attempt to develop a science of politics?

The Relevance and Importance of This Research

Public administrators serving in an era of uncertainty and insecurity are the key agents in guiding policy solutions and actions of government agencies. The need to adjust to a new (post-September 11) narrative and the unfamiliar environments and expectations that such insecurity has engendered has the potential to create confusion and conflict (Dubnick, 2002). It is our responsibility to help orient them in the challenging times ahead. We have to examine whether the rhetoric of post-September 11 political discourse in our field is consistent with the philosophical underpinnings of American democracy.

If we get it wrong, the consequences are grave. We risk furthering distrust in government if public administrators are not only promoting security but are also perceived to be agents of curtailing civil liberties. If we do not approach a meaningful and balanced discourse on governance we also miss an opportunity to "enlist the energies of many more citizens in civic life" which could strengthen democracy and Americans' connectedness to government and public service (Rosenbloom, 2002, p. 59).

Also, Spicer (2005) argues that there are two good reasons for a historical-philosophical approach to public administration enquiry and education. Firstly, if those of us in public administration do not fully appreciate the political and philosophical underpinnings of our past administrative ideas and practices, we make ourselves “vulnerable to seduction by ideas and reforms that are really not as new as they appear to be, but, to the contrary, have often been tried before and found wanting.” (p.18). Secondly, if we do not understand or are not self-conscious of these philosophical and historical ideas, we are at risk of being impressed or captive to ideas that not only have little use for us but, more dangerously, may be destructive to values that we embrace and hold dear.

I contend that reflecting on Hobbes’s political wisdom as it applies to current political issues can contribute to a balanced and integrated theory of governance.

Similarly, there are important things that we can learn, in each area that will be explored in this dissertation that can provide some clarity on how we govern. Using Hobbes as a platform or standard for reflection on political life may provide direct practical modifications to the arrangements of political order. But it may also redirect our ideas in new directions to enrich our intellectual history in our field.

That is a lofty ideal. Even if that is not achieved, this dissertation will, at least, provide us an opportunity for us to be more self-aware of our political ideas in the classical liberal traditions and values of America democracy.

CHAPTER II

LEVIATHAN DESIGNED

In this chapter I will lay out the overall framework of Hobbesian thought – his development of a civil society, the causes and nature of civil societies, its internal mechanisms, the power and insight of his analysis, and the coherence of his system. This chapter will also address Hobbes' faith in technique and science (civil science) and the development of his method of analysis to resolve political questions (his philosophy of inquiry). We begin with a brief account of his life and the turbulent times in which he lived.

Brief Account of Hobbesian Times

Thomas Hobbes (1588-1679) and his biography are well known as far the lives of philosophers are of general interest. On occasion, though, it is useful to remark the distinct events he initiated or was moved by because these may give insight first to his character and then to his science of politics. He lived a long, controversial life. There seems to be general agreement that he earned fame in his lifetime for his work in geometry, physics as well as religious studies. He was fortunate to associate with some of the greatest minds of his time including Ben Johnson, Francis Bacon and Galileo among others (Martinich, 1999). On the flip

side, he was disliked by some powerful people - Rene Descartes and Edward Hyde, the Earl of Clarendon and others who saw his religious views as heretical and his political views as seditious.

We may recall that history has marked Hobbes's lifetime as an epoch of political instability and insecurity in England. He is said to have attributed his premature birth to the fear that his mother felt as rumors of the Spanish Armada having set sail to invade his country were pervasive around the time of Hobbes's birth. As stated earlier in Chapter I, his birth was noted by the famous contemporary biographer John Aubrey (1962 edition). His report gave rise to the epigram that has Hobbes himself say that "In 1588, the year of the Spanish Armada, my Mother gave birth to twins: myself and fear." (H. Mark Roelofs, oral communication to Ralph Hummel, 1968). One can easily see the trauma of his difficult birth affecting Hobbes for the rest of his life. He lived in fear and bore a "hatred for the enemies of his country" that lasted through his adult life.

(Martinich, 1999, p.2)

Hobbes was baptized by his father, who was a semi-literate clergyman, and who would later abandon the family (Martinich, 1999). His father was only able to read the bible and a few sermons and was not interested in other intellectual pursuits. Thomas senior was also considered to be an unpleasant and irresponsible man (Martinich, 1999). After a few incidents with parishioners, in anger and shame, he abandoned his family and left the hometown of Malmesbury. It was at this time that Hobbes began to be supported by his uncle Francis. Francis was a well to do glover and was able to support Hobbes and

provide for his education. Hobbes attended school at Westport and later continued his education at Magdalen Hall, Oxford. At Oxford he excelled as he had already studied Latin and Greek before he entered Oxford (Martinich, 1999). Though we do not have many detailed accounts of his time at Oxford (transcripts and other documents are not available), it is clear that he did very well academically since he was offered a position as tutor to the prosperous and influential family of the earl of Cavendish. And he later became secretary to the son of William Cavendish (Oakeshott, 1966). For his entire adult life Hobbes remained a friend and confidant of the Cavendish family. In turn, they supported him financially even when he lived abroad in exile. It was his close connection to the Cavendish family that offered him the opportunity to associate with some of the great literary and political minds of his time, notably Ben Johnson and Francis Bacon (Macpherson, 1968). Hobbes was able to travel around Europe with William Cavendish and it was at this time that he became acquainted with geometry and mathematics, which played an important role in intellectual pursuits in continental Europe at that time. Hobbes was fascinated by these new ideas. He was in his early forties at this time and had previously limited the scope of his intellectual scholarship to classical studies of Latin and Greek texts. In fact, his only publication at that time was his translation of Thucydides into Latin in 1628. (McPherson, 1968)

C. B. Macpherson (1968) says that at the time of Hobbes second trip to continental Europe, he was a “classical scholar in search of a new understanding of man and government” (p.17). When he discovered geometry, he found in it a

new method of understanding and hypothesizing. In geometry the axioms are defined by the beginning and the subsequent “proofs” follow an inexorable logic. It was a powerful discovery for him and it influenced his philosophy in profound ways (see the later part of this Chapter and again in Chapter V).

A few years later (around 1634-37) he met with Galileo and began to learn more about the science of motion. (Martinich, 1999). Again, this discovery influenced his thinking in very profound ways. We see (later in this Chapter), how Hobbes began to hypothesize that everything could be explained by motion and its impact, even such things as sensations and thoughts among humans. He used his knowledge of mechanics and motion as building blocks for his philosophy of both natural philosophy and civil philosophy (Macpherson, 1968).

He returned to England and began to write and completed his first philosophical text – *The Elements of Law* (completed in 1640 but published in 1650). After he completed that work, he moved away to Paris staying for eleven years. It was during this time, when he was free of other duties that he was able to write and publish *Leviathan* (1651), his magnum opus (Oakeshott, 1966).

A year after it was published, he returned to England to the house of the Earl of Devonshire. He continued writing and published *De Corpore* (in 1655) and *De Homine* (1659). During this time, he continued to be involved with the debates and discussions among intellectuals in the areas of philosophy, mathematics and religion. After the Restoration, he returned to England where he spent much of his time in London where he was “not encouraged to publish anything on politics”

(Macpherson, 1968, p.21). He lived quietly until he retired to Chatsworth in 1675 (Oakeshott, 1966). He died four years later, a tennis player to the end.

Hobbes's Method of Politics

Hobbes's method of political inquiry determined the shape and content of his civil philosophy. He begins by stating what condition would exist if there was no civil authority to govern men, and then goes on to state what rational measures men would take to escape that unlivable and undesirable condition. Simple though it may seem, Hobbes's thoughts on these issues inevitably lead him to create a system. He stands out among philosophers as a "creator of a system" (Oakeshott, 1966).

If we concede that Hobbes's system is the keystone not only to his natural philosophy but to his civil philosophy – what others have called moral philosophy -- then we must inquire into the character and content of this system. The significance of his theory as a whole must be considered in relation to the elements of the system and their coherence to the whole and to the place they occupy within it.

Hobbes himself wrote about this in *De Cive*:

"For everything is best understood by its constitutive causes. For as in a watch, or some such small engine, the matter, figure, and motion of the wheels cannot well be known, except it be taken insunder and viewed in parts...(p. 98).

However, Oakeshott argues that it is a false expectation to think of a philosophic system conforming strictly to an "architectural analogue". He writes

what we mistakenly seek from Hobbes is both, at once a foundation and a superstructure as a single whole. In architectural terms, we want his civil philosophy as the foundation and the tower of the same system.

Oakeshott (1966) writes in his Introduction to *Leviathan*:

“Now it may be doubted whether any philosophical system can properly be represented in the terms of architecture, but what is certain is that the analogy does violence to the system of Hobbes. The coherence of his philosophy, the system of it, lies not in an architectonic structure, but in a single passionate thought that pervades its parts. The system is not the plan or key to the labyrinth of the philosophy; it is, rather, a guiding clue, like the thread of Ariadne. It is like the music that gives meaning to the movement of dancers, or the law of evidence that gives coherence to the practice of court. And the thread, the hidden thought, is the continuous application of a doctrine about the nature of philosophy. (p. xix)

What does Hobbes consider to be the nature of philosophy?

For Hobbes, philosophy is reasoning. At the heart of reasoning are the concerns of causes and effects. He writes:

“Out of all which we may define, (that is to say determine,) what that is, which is meant by this word *reason*, when wee reckon it amongst the Faculties of the mind. For REASON, in this sense, is nothing but *reckoning* (that is, Adding and Subtracting) of the consequences of generall names agreed upon for the *marking* and *signifying* of our thoughts; I say *marking* them, when we reckon by our selves; and *signifying* when we demonstrate, or approve our reckonings to other men. (Leviathan, Chapter 5, p. 111)

Further:

“The Use and End of Reason, is not the finding of Summe, and truth of one, or a few consequences, remote from the first definitions, and settled significations of names; but to begin at these; and proceed from one consequence to another. (p. 112)

It is therefore implied that the scope of philosophic activity be within the “world of composed things” (materialistic element) that are causes or the effects of causes (mechanistic element).

Simon Blackburn (1996) defines materialism as the view that “the world is entirely composed of matter.” (233). Commentators like Jean Hampton (1986), Bernard Gert (1996) and A.P. Martinich (1996), see Hobbes as a materialist who uses the principles of natural philosophy to explain all human behavior. Hobbes tried to explain all the basic constituents of the universe in terms of matter in motion. He even explained the workings of the mind in these terms.

“All Fancies are Motions within us, reliques of those made in the Sense: And those motions that immediately succeeded one another in the sense, continue also together after Sense: In so much as the former coming again to take place, and be praedominant, the later followeth, by coherence of the matter moved, in such manner, as water upon a plain Table is drawn which way any one part of it is guided by the finger. (Chapter 4, p. 94)

In this sense, Hobbes is a thoroughbred materialist. His materialism is ontological and that forms the cornerstone for his method of analysis. There is, however, one exception -- his treatment of God. Hobbes refers to God as “infinite and eternal”. These qualities are immaterial by definition. That seems to be the one inconsistency in Hobbes’s materialistic ontology. But, I will focus my attention on his discourse on civil philosophy.

The mechanistic element of Hobbes’s system stems from his concern with causes and effects as the very nature of reasoning. He does not argue that the natural world is a machine but rather that it is analogous to a machine and must

be understood as such (Oakeshott, 1966). So, his analysis uses the ‘machine’ analogy to give authority to his conclusions.

Writing about the mechanistic element in Hobbesian analysis, Oakeshott writes:

“It is, indeed, of the greatest importance, for Hobbes’s philosophy is, in all its parts, pre-eminently a philosophy of *power* precisely because philosophy is reasoning, reasoning the elucidation of mechanism and mechanism essentially the combination, the transfer and resolution of forces. The end of philosophy itself is power – *scientia propter potentiam*. (p. xxi, Italics in original).

So, to Hobbes, the purpose of his civil philosophy was to find civil order as a coherence of powers, not simply as an endless competition among those in the civil order, but to subject it (civil order) to rational enquiry. Such a process would unavoidably reduce civil order to a mechanism to be analyzed.

We now know something about the underpinnings of Hobbes’s method of philosophy. We then need to examine how Hobbes generated his conception of the civil order towards the ultimate good – peace in civil society.

To Hobbes, knowledge is generated by method and the method by which knowledge is correctly generated is analytic-synthetic (Goldsmith, 1966). The analytic method begins from effects and discovers their probable causes. Synthetic method begins at causes and deduces their possible effects.

How is the generation of such knowledge possible? What are the steps involved in accruing such knowledge?

According to Hobbes, all knowledge begins with sensation – which is the reaction of the sensing creature to external motion pressure.

“And this *seeming*, or *fancy*, is that which men call *Sense*; and consisteth, as to the Eye, in a *Light*, or *Colour* figured; To the Eare, in the *Sound*; To the Nostrill, in an *Odour*; To the tongue, and Palat, in a *Savour*; And to the rest of the body, in *Heat*, *Cold*, *Hardnesse*, *Softnesse*, and such other qualities, as we discern by *Feeling*. (Leviathan, Chapter 1, p. 86)

Such feeling or sensation is the basis of all knowledge, but it is not scientific knowledge. It is experiential knowledge. Scientific knowledge requires language and definitions.

“Seeing then that truth consisteth in the right ordering of names in our affirmations, a man that seeketh precise truth, had need to remember what every name he uses stands for; and to place it accordingly; men begin settling the significations of their words; which settling of significations, they call definitions; and place them in the beginning of their reckoning. (Leviathan, Chapter 4, p. 105)

Truth consists in the proper use of names and not in things. For “truth and a true proposition are all one”. To produce true and correct philosophical knowledge two things are necessary: correct definitions and correct reasoning. This makes Hobbes a nominalist. He places these definitions at the “beginning of their reckoning” (as in geometry). This makes him a rationalist.

Using this notion as a starting point, Hobbes developed his system of philosophy. Goldsmith (1966) explains the steps involved in developing this system. Beginning with a clear understanding of the fundamental principles of science (namely motion, cause, etc.), the effects of various motions are deduced. This deduction allows one to study the effects of the invisible motions of the parts of the body that is followed by the investigation of sensory feeling and its causes. From there, Hobbes begins to understand basic human motivations and their

corresponding actions (human psychology) and from there he develops his civil philosophy (p.10-11).

One can see the parallels that Hobbes draws between civil philosophy and a science like geometry since he consistently uses science (as a chain of reasoning) to explain phenomena – natural and social. For example, just as knowledge (or theorems) of natural philosophy can explain natural phenomena, so can knowledge about political philosophy explain social and political phenomena. Further, he believes that correct knowledge in political philosophy is entirely possible and within the power of man.

However, he is cautious and, guided by his nominalism, distinguishes between absolute knowledge and conditional knowledge because he distinguishes between things and the names of things.

“ No Discourse whatsoever, can End in absolute knowledge of Fact, past, or to come. For, as for the knowledge of Fact, it is originally, Sense; and ever after, Memory. And the knowledge of consequence, which I have said before is called Science, it is not absolute but Conditionall. No man can know by Discourse, that this, or that, is, has been, or will be; which is to know absolutely: but onely, that if This be, That is; if This has been, That has been; if This shall be, That shall be; which is to know conditionally; and that not the consequence of one things to another; but of one name of a thing, to another name of the same thing. (Leviathan, Chapter 7, p. 131)

Scientific conditional knowledge of ‘consequence’ (i.e. the future) that rests on a systematic chain of reasoning, that begins with “the Definitions of words”, Hobbes calls science. As stated earlier, Hobbes did not make a

distinction between science and philosophy. For Hobbes, “rational knowledge is scientific knowledge” (Oakeshott, 1966, p. xxi).

The Purpose of Method

I delved into the preceding discussion to illustrate the methodological concerns of Hobbes in developing his civil philosophy and to demonstrate a key characteristic of his philosophy - his clear intention to be guided by reason and reject other guides (faith, mere experience, religion, etc.) in his philosophical pursuits. We now have an understanding of Hobbes’s conception of philosophy as the product of a systematic web of reasoning.

We concern ourselves mainly with his civil philosophy for our purposes. Civil philosophy is the application of the principles of philosophy to civil society. Oakeshott (1966) refers to it as “a reflection of civil society in the mirror of a rationalistic philosophy” (xxvii).

Civil philosophy then is the theorizing of the generation or constitutive causes of civil society. It is the erecting of the artifice called civil society; it is not natural but artificial. It is reasoning that produces this artifact - civil society. Despite it being a purely mental abstraction to Hobbes, he developed a model of a coherent system that may be used to explain cause and effect in society.

Given that philosophy, for Hobbes, may argue from a given effect to its hypothetical causes or from a given cause to its reasoned effects, what does the scope of philosophizing about civil society entail? What sorts of questions may be asked and what kinds of answers are possible by philosophizing about civil society?

Oakeshott writes about what a civil philosophy may provide:

“Two things may be expected from it. First, it will exhibit the internal mechanisms of civil society as a system of cause and effect and settle the generation of the parts of civil society. And secondly, we may expect it to settle the generation, in terms of a hypothetical efficient cause, of the artifact as a whole; that is, to show this work of art springing from the specific nature of man. (p. xxix)

Clearly, Hobbes accomplishes the task of uniting a theory of human nature to the artifice of civil society in a cogent manner. Though it is still unclear whether Hobbes began from effect (civil society) to its underlying cause (human nature) or the other way around, or both, it should be of no consequence because its generation is artificial and rational, not a growth of nature. And therefore, can contain only what is built into it.

How did Hobbes use the relatively basic axioms of mechanics and motion as the building blocks towards a science of politics? How did he from such a rudimentary science develop a powerful, coherent system that has come to be acknowledged as one of the “masterpieces of political philosophy written in the English language” (Oakeshott, 1966, p. viii)?

Hobbes begins with the bold but simple hypothesis that motions and actions of human actors could be understood as the effects of mechanical apparatus consisting of sense organs, nerves, muscles, memory, imagination and reason, which apparatus moved in response to impact of external forces on it. The human apparatus was not inherently self-moving but always in motion because of external pressure and the response to it. Hobbes argues that a desire to respond to external stimuli is innate to humans and stems from a fundamental

drive to avoid death and harm. Simplistically, the apparatus moves in response to perceived threats to its existence – it is an existential movement and is continuous. The sum of a man's activity lies in endeavors towards what could assist with this continued tendency toward movement (life) and away from what could impede it (death). These endeavors are called appetites and aversions. Therefore, even our most complex reasoned responses (not just reflex actions) can be understood in these mechanical terms, according to Hobbes. Even voluntary, deliberate actions ultimately are in the service of appetites and aversions (he sometimes refers to them as “passions”).

This was Hobbes's striking and bold assertion, that he had, in a scientific manner, explained how human actions could be understood using the elementary motions of the body and the motions of the mind. Of course, there were and are skeptics who contest his explanation. However, Hobbes believed that the postulates that he had laid out were self-evident and every observer who used science and reason would be forced to admit to his logical conclusions. He resisted an attempt to try to demonstrate or indulge his readers in any logical trial and error guesswork for alternative explanations. He was satisfied with the strength of his argument. He begins the opening chapters (I -V) of *Leviathan* by laying out this mechanistic logic in detail. After that he turns to a discussion of how human actions (including deliberate and voluntary action) are a result of deliberating about appetites and aversions. He then focuses on how men who are ruled but such appetites and aversions, will relate to each other.

This area is the heart of his civil discourse. Having understood what men are (their nature –what makes them tick), how will they relate to their fellow man? Hobbes believed this to be a central concern of his civil philosophy. This is demonstrated not only by the depth of his analysis, but also by the lengths to which he goes to explain it comprehensively. Chapters VI-XI of *Leviathan* are dedicated to answering that central question.

It is crucial to understand this aspect of Hobbes's civil philosophy if we are to accept his conclusions on the need to erect the Leviathan in society to maintain peace and provide for "commodious living".

Let me begin with what might be called Hobbes first proposition of human motion: men are moved by appetites and aversions. This proposition summarizes simplistically what Hobbes had postulated earlier about the beginnings of motions in man (including the process of deliberation involved in voluntary, deliberate motion).

He writes:

"When in the mind of man, Appetites, and Aversions, Hopes, and Feares, concerning one and the same thing, arise alternately; and divers good and evill consequences of the doing, or omitting the thing propounded, come successively into our thoughts; so that sometimes we have an Appetite for it; sometimes an Aversion to it; sometimes Hope to be able to do it; sometimes Despaire, or Feare to attempt it; the whole summe of Desires, Aversions, Hopes and Fears, continued till the thing be either done, or thought impossible, is that we call DELIBERATION..... In *Deliberation*, the last Appetite, or Aversion, immediately adhaering to the action, or to the omission thereof, is that wee call the WILL; the ACT, (not the faculty) of *Willing*. (Chapter 6, p. 126-7)

Having established that appetites and aversions move men to act, we need to understand the nature of these passions. For Hobbes, some (in his words, “not many”) appetites are innate. The rest are appetites of particular things.

“Of Appetites, and Aversions, some are born with men; as Appetite of Food, Appetite of excretion, and exoneration, (which may also and more properly be called Aversions, from somewhat they feele in their bodies;) and some other appetites, not many. The rest, which are Appetites of particular things, proceed from experience, and triall of their effects upon themselves, or other men. (Chapter 6, p. 119-20)

Further, appetites continually change and are different for every man.

“And because the constitution of a mans Body, is in continuall mutation; it is impossible that all the same things should alwayes cause in him the same Appetites, and Aversions: much lesse can all men consent, in the Desire of almost any one and the same Object. (p. 120)

Also, appetites are incessant and will continue to govern a man’s actions as long as he lives. Life, according to Hobbes is continuous motion, “and can never be without Desire, nor without Feare, no more than without sense.” (p.130)

Finally, appetites differ in strength among different men. These difference stem from difference in the “constitution of the body”, differences in “customs and education” among men, and differences “of men’s complexion.”

The Origins of Power

Having established the nature of these appetites, Hobbes then summarizes the effects. Men must seek to continually satisfy these incessant appetites and attain some satisfaction. Since the strength of appetite differs for

each man, different men will seek different levels of *power* to be able to fulfill these appetites. This is how Hobbes arrives at addressing the key issue of power.

How does Hobbes define power?

“The POWER of a Man, (to take it Universally,) is his present means, to obtain some future apparent Good. And is either Originall, or Instrumentall.

“Naturall Power, is the eminence of Faculties of Body, or Mind: as extraordinary strength, Force, Prudence, Arts, Eloquence, Liberality, Nobility. Instrumentall are those Powers, which acquired by these, or by fortune, are means and Instruments to acquire more: as Riches, Reputation, Friends, and the secret working of God, which men call Good Luck. For the nature of Power, is in this point, like to Fame, increasing as it proceeds; or like the motion of heavy bodies, which the further they go, make still the more hast. (Chapter 10, p. 150, parentheses in original)

At this point, Hobbes’s analysis has merely explained how every man continually seeks to have some power – enough power to find satisfaction for his appetites. We also see no desire on the part of man to have as much power as others. That is because Hobbes has not yet begun to explicate his understanding of how men will relate to each other, which comes next.

Then, he begins to understand this power as it relates to other men and how men desire that such power exceeds those of other men. That is critical because he assumes as self-evident that one man’s power will affect and resist the power of another. Power now is to be understood as a man’s ability to secure future good for himself *above that of another*.

Hobbes thought this to be universally recognized and did not explore it much in his analysis. Macpherson (1968) argues that this deduction is not from

his physiological postulates, but as a generalization from observation of the power relations in his own society. From such observations of his own society, he also concludes that power that is acquired is meaningful only if it can command over the powers of other men. He writes:

“The Value, or Worth of a man, is as of all other things, his price; that is to say, so much as would be given for the use of his Power: and therefore is not absolute. (Chapter 10, p. 151-2).

Now we understand power as not an innocuous, neutral instrument that man must use to find a means to satisfy his appetites, but as a dark primeval force that inevitably pits one against another in an endless struggle.

Macpherson (1968) argues that Hobbes makes one further assumption based on observation of his own society: *some men’s desires are without limit*.

Given this endless struggle for power, Hobbes concludes:

“So that in the first place, I put for a generall inclination of all mankind, a perpetuall and restless desire of Power after power, that ceaseth onely in Death. And the cause of this, is not always that a man hopes for a more intensive delight, than he has already attained to; or that he cannot be content with a moderate power: but because he cannot assure the power and means to live well, which he hath present, without the acquisition of more. (Chapter 11, 161)

This is his grand conclusion on human nature. Everyone (even those with moderate appetites who require only a little power to secure the means to satisfy those appetites), are drawn in to this “perpetuall and restless desire for power after power”.

As it applies to civil society, we now recognize the pernicious nature of power in Hobbes’s analysis. Power as the prime mover in his conception of

human nature is not the equivalent of a force in mechanics, which is neutral. Rather, it is perpetual, predatory and in that sense, dangerous.

Now that we understand Hobbes view of human nature, how does Hobbes proceed to rationally erect the architecture of the Leviathan from this view of man?

The Architecture of the Leviathan

To begin to understand the architecture of Hobbes's Leviathan, I return to Oakeshott's *Introduction to the Leviathan* (1966). In one pithy, yet profound sentence, Oakeshott lays the groundwork for the logic of erecting the Leviathan.

“The nature of man is the predicament of mankind.” (p. xxx)

He explains this predicament:

“The predicament..... is a radical conflict between the nature of man and the natural condition of mankind: what the one urges with hope of achievement, the other makes impossible.....And it is neither sin nor depravity that creates this predicament; nature itself is the author of his ruin. (p. xxxv)

Hobbes has painted a picture of the human condition where the possibilities of “felicity” among men and the inherent contradictions and conflicts are on the same canvas.

On the one hand, human beings are capable of being prudent and therefore to take the necessary actions to avoid premature death. By avoiding the probable occasions of danger, they hope to diminish this fear of death and open to them the opportunity to pursue “felicity”.

On the other, there is, “at best”, a permanent potential enmity between men that contend for “honor, riches and authority”. This leaves man in an open

conflict, a war of all against all that is “perpetual” (to use Hobbes’s term). This very condition negates the possibility of peace in the “state of nature” because of the nature of man. Hence, the nature of man is the predicament of mankind.

On that foundation, Hobbes lays out a rational route to escape this condition – the erecting of the Leviathan.

Having established that this competitive, perpetual search for power is fundamental to the way men will relate to each other, it stands to reason that “felicity” among a number of men is impossible unless each man acts so as not to do to another what he would not have done to himself. But “common felicity” is impossible because:

“To this warre of every man against every man, this also is consequent: that nothing can be unjust. (Chapter 13, p. 188)

Inspired by fear and instructed by reason, man must design an arrangement or create the conditions whereby, their “pursuit of felicity” will not be frustrated by the efforts of another (seeking their own “felicity”). Man must create the conditions for “commodious living” and peace.

“The Passions that encline men to peace, are Feare of Death; Desire of such things as are necessary to commodious living; and a Hope by their Industry to obtain them. And Reason suggesteth convenient Articles of Peace, upon which men may be drawn to agreement. (Chapter 13, p. 188).

At this point Hobbes provides in an exemplary exhibition of pitiless logic, the escape route through which man can escape from the *perpetual* condition of a war of every man against every man. It is the creation of a common power “to keep them in awe.”

“Hereby it is manifest, that during the time men live without a common Power to keep them all in awe, they are in that condition which is called Warre; and such a Warre, as is of every man, against every man. ... the notion of *Time*, is to be considered in the nature of Warre; as it is in the nature of Weather. For as the nature of Foule weather, lyeth not in a showre or two of rain; but in an inclination thereto, of many days together: So the nature of War, consisteth not in actuall fighting; but in the known disposition thereto, during all the time there is no assurance to the contrary. All other time is PEACE. (Chapter 13, p. 185-6)

Further, if we do not escape this state of war, the consequences are:

“....., there is no place for Industry; because the fruit thereof is uncertain: and consequently no Culture of the Earth; no navigation, nor use of the commodities that may be imported by sea; no commodious Building; no Instruments of moving, and removing such things as require much force; no Knowledge of the face of the Earth; no account of time; no arts; no Letters; no Society; and which is worst of all, continuall feare, and danger of violent death; And the life of man, solitary, poore, nasty, brutish, and short. (Chapter 13, p. 186).

In this oft-quoted passage, Hobbes clearly makes the case for men to escape this condition of war (state of nature). This theoretical construction was intended to demonstrate that men (being impelled by mixed passions – “feare of death” and a desire for “commodious living”) would follow reason and move toward “convenient Articles of Peace, upon which men may be drawn to agreement.”

Rights Surrendered

The “Articles of Peace” call for man to lay down his right to “all things” – the right to “possess, use and enjoy” anything, and the right to “another’s body”.

He writes:

“That a man be willing, when others are too, as farre-forth, as for Peace, and defence of himselfe, he shall think it necessary, to lay down this right to all things; and be contented with so much liberty against other men, as he would allow other men against himselfe. (Chapter 14, p. 190)

Governed by reason, men lay down their rights for the purpose of achieving peace, provided that everyone else also does so at the same time. The laying down of rights could mean either abolishing the rights or transferring them to another. But abolishing the rights of men would not bring about the desired condition of peace. There would be individual men who would “relapse to the state of nature” (to use Oakeshott’s term). Hobbes clearly meant *transfer* of rights to a person or body who could enforce the agreement among men to lay down their rights. This authority to enforce would be generated by the combined will of those who entered into the agreement. Without this enforcement authority, the agreement would be meaningless.

“Covenants, without the Sword, are but words, and of no strength to secure a man at all. (Chapter 17, p. 223)

Through the transferring of the authority to enforce the agreement, Hobbes addressed the further obligations of the individuals to the recipient authority.

“And when a man hath in either manner abandoned, or granted away his Right; then is he said to be OBLIGED, or BOUND, not to hinder those, to whom such Right is granted, or abandoned, from the benefit of it: and that the *Ought*, and it is his DUTY, not to make voyd that voluntary act of his own: (Chapter 14, p. 191)

The person or body to whom (or to which) these individuals transfer their rights to is the Sovereign. This powerful sovereign determines how and through what means to maintain the peace. By the transfer of rights, the Sovereign has the authority to deliberate, will and act to replace the deliberation, will and action of each individual man. The sovereign is an artificial person who impersonates the deliberations, wills, and actions of a number of natural men towards one end – the benefits of peace.

This is how Hobbes generates the powerful Leviathan.

Hobbes was not writing to those in the state of nature. Rather his writings were meant to persuade his fellow citizens living in an imperfect political society of the dangers of relapsing into something that was akin to the state of nature (fierce civil war). He was making a case for what they should do to move them into a more perfect political society that would be permanently free of internal strife and threats of insecurity. His message was political and polemical. But his method was scientific and rational.

For our purposes, there is much to be gleaned by his science and method that might instruct us in our political discourse (to be discussed in Chapter IV and Chapter V). Oakeshott (1966) writes that political philosophy is the assimilation of political experience to an experience of the world in general. In that light he writes:

“The Leviathan, like any masterpiece, is an end and a beginning; it is the flowering of the past and the seed-box of the future. (p. liii)

CHAPTER III

HOBBS ON SECURITY AND LIBERTY

One year after the horrific events of September 11, 2001, in a symposium on Public Administration and Civil Liberties, David Rosenbloom (2002) wrote:

“In times of national crises, public servants are often on the front lines in dealing with the age-old tension between security and liberty. The Constitution is dedicated to both, but it provides little guidance on when trade-offs between the two are acceptable or how they should be made. It calls explicitly on the national government to ‘insure domestic tranquility’ and to provide ‘for the common defense’. No less important, the purpose of the American constitutional government is also to ‘secure the Blessings of Liberty’. The United States has wrestled with the problem of balancing security and liberty throughout its history..... Historically, of course, American security and liberty have coexisted and persisted, sometimes reinforcing and sometimes detracting from one another. Under contemporary constitutional doctrine, which has been in place for several decades, civil liberties generally may be abridged when there is a compelling governmental interest and when the infringement on protected rights is either narrowly tailored or the least restrictive means of achieving that interest. By exercising strict judicial scrutiny in such cases, the federal courts place a heavy burden of persuasion on governments to demonstrate the necessity of their ends and the acceptability of their chosen means. This formula defends individuals’ civil liberties against unnecessary or gratuitous infringements..... Neither constitutional doctrine nor civil liberties are immutable. They are very likely to be deeply affected by the threat of concerted terrorism

that was driven so horribly into the national consciousness on September 11, 2001..... “ (p. 58)

Rosenbloom clearly articulates the dilemma posed on this subject in the discourse following the events of September 11.

The current discussions generated by the events of September 11 and the subsequent war on terrorism seem to agree that a new calibration of the balance between security and liberty must be achieved in a post-September 11 America (Lewis, 2002). How and what we decide that new balance should be, inevitably imposes serious policy implications in our complex, interdependent society.

Cohen and Wells have argued that historically, Americans are accustomed to linking security with civil liberties in debates that have marked the “agonistic struggle between civil libertarians and advocates of increased police powers.” (2004,1). However, we may agree it is the events of September 11 that have made striking a balance “the most central domestic issue” (Lineberry, 2003, p. 154).

Scholars and practitioners in Public Administration have begun an effort to find an “acceptable” balance that will resist the “excesses of zealotry in times of fear” (Carol Lewis quoted in Rosenbloom, 2002, p. 59). Repeatedly in the articles and books on the subject following September 11, there has been a call to find a framework from which to understand and resolve what is seen as the inherent tension between rights and national security (see Cohen and Wells [2004] *Public Administration Review* [Special Edition 2002] Lineberry, [2003])

The Hobbesian Approach

I believe that Hobbes understood this aspect of the relation between rights and security and can provide a framework to work through limits on rights and security. Though there is some skepticism about Hobbes's interest in achieving a balance between obligations and liberties of subjects in a civil society, I contend that the logic of Hobbes's analysis inevitably leads us to such a conceived balance but in an unexpected form. Hobbes is clear that subjects authorize a sovereign with an unlimited right to command for the purpose of the preservation of the peace. Nevertheless, he recognizes certain liberties of resistance (see *Leviathan*, Chapter 21). If a sovereign threatens a subject's life, the subject is free to do anything he can to preserve himself. He finds himself in the very condition from which the sovereign was intended to save him: the state of nature.

Similarly, a subject may refuse to obey the sovereign if he is commanded to kill, wound or maim himself. Also, a subject is free to disobey the sovereign if the sovereign forbids him from using the necessities of life (food, water, etc).

From this starting point, one can recognize that Hobbes indeed left some doors open for an individual subject to retain some liberties of action based on his own private judgment, thereby undermining the notion that Hobbes sought a subject's formal but absolute surrender of self-governance to the sovereign. Yet, there still is an apparent paradox: on the one hand, the Hobbesian subject may and will use private judgment to preserve himself, and on the other, Hobbes denies the right to revolt warning that, in a stable commonwealth, it is dangerous for an individual to act in pure self-interest based on private judgments.

Andrew Cohen (1998) argues that this paradox can be resolved. In his analysis, the authorization of absolute power to the sovereign is consistent with the resistance “rights” of each subject. This residue of individual right is possible because the subject does not authorize the sovereign to commit acts of life-threatening violence against them. The right of the sovereign to do so comes from other subjects whose life is not threatened and are therefore disinterested in that course of action of the sovereign. For example, if the sovereign commands a subject to kill himself, the subject may disobey because such an action negates the very reason why he entered civil society. However, his refusal to obey the sovereign does not negate the absolute right of the sovereign to issue such a command. The sovereign can still achieve that end by commanding somebody else to fulfill that wish of the sovereign. Therefore, the resistance “rights” (of each individual – not as subjects collectively) do not undermine the sovereign’s right in a commonwealth.

Another area where Hobbes sees liberties for the subject is in the silence of the law.

“As for other Liberties, they depend on the silence of the Law. In case where the sovereign has prescribed no rule, there the Subject hath the liberty to do, or forbear, according to his own discretion. And therefore such liberty is in some place more, and in some lesse; according as they that have the sovereignty shall think most convenient... (*Leviathan*, Chapter 21, p. 271).

Earlier, Hobbes notes that it is impossible for the sovereign to cover all aspects of human behavior in laws. He, therefore, allows for a private realm of thought and action that is free of the sovereign. He writes:

“For seeing there is no Common-wealth in the world, wherein, there be Rules enough set down, for the regulating of all the actions, and words of men, (as being a thing impossible:) it followeth necessarily, that in all kinds of actions, by the laws praetermitted, men have the Liberty, of doing what their own reasons shall suggest, for the most profitable to themselves.” (Chapter 21, p. 264)

It is very clear that Hobbes did not mean that such liberty in any way would limit or diminish the authority of the sovereign, for it is created by the sovereign albeit by his non-action of making no law. However, he did recognize this arena where subjects may exert some liberty with respect to words and actions. Again, Hobbes did leave a door open for actions in the private realm.

Finally, Hobbes also advises the sovereign on how to govern and enact good laws such as are necessary to promote human happiness. This again provides us with a point of departure to understand the balance between security and liberty in his method. He articulates that security is not mere physical safety (bare preservation) but “also all other contentments of life, which every man by lawfull Industry, without danger, or hurt to the Common-wealth, shall acquire to himselfe.” (*Leviathan*, Chapter 30, p. 376). This chapter of *Leviathan* also provides some insight into Hobbes’s vision of governance that strikes a balance between security and the liberty to pursue the “contentments of life” or “commodious living”.

Hobbes engaged in a thoughtful exposition of the apparent incompatibility between security and rights. Hobbes points out that no man can be thought to support action of the sovereign when they contradict the purpose for which he

entered the original covenant to begin with. He does not write about security for its own sake, but rather to security for a specific purpose – security to support the natural right to avoid a premature death. Man enters the covenant to secure that specific purpose.

It has been argued that Hobbes placed more emphasis on what the subject owes to the sovereign than upon what in turn is owed to the subject. However, Hobbes did have a clear and cogent concept of the rights of individuals within a political system as argued in his account of the political covenant and later in his writing about self-preservation and self-interest. Hobbes's concept of rights begins with his contention that the sovereign cannot breach the covenant ("injury to the covenant" in Hobbes's language). A breach of the covenant by the sovereign would cause it to become ineffective, and it is precisely the continuing effectiveness of the covenant that is guaranteed by the exercise of sovereignty.

One position on this is that of Warrender (1957). He argues that the main factors in the development of Hobbes's concept of rights can be found in determining the relationship between the subject and the sovereign. He contends that Hobbes has his own concept of rights and that this can be more meaningfully understood by deriving the concept from the procedure whereby the subject authorizes the actions of the sovereign, from the duty of the subject not to resist the sovereign (except in self-defense), and further, from the obligation to act in such a way that the purpose of the political covenant is not frustrated.

By accepting the covenant, the subject has authorized all that the sovereign shall do, and from this Hobbes draws the consequence that whatever

the sovereign does can be no injury (breach of contract) to the subject.

Authorization, however, does not give a complete *carte blanche* for the sovereign to do as he pleases. The authorization merely gives the sovereign an immunity against the person who did the authorizing. It is essentially an escape from original *accountability*. In this manner, the subject also frees himself of any accountability for the actions of the sovereign. The free subject then cannot and should not accuse the sovereign of unreasonable conduct or immoral acts, since the subject has no justification to do so in Hobbes's discourse.

Hobbes wrote about this:

“.....because every subject is author of all the actions and judgments of the sovereign instituted; it follows that whatsoever he doth, it can be no injury to any of his subjects; nor ought he to be by any of them accused of injustice. For he that doth anything by authority from another, doth therein no injury to him by whose authority he acteth: by this institution of a commonwealth, every particular man is author of all the sovereign doth: and consequently he that complaineth of injury from his sovereign, complaineth of what whereof he himself is author;” (Leviathan, E.W., p. 163)

Later he writes:

“ For it has already shewn, that nothing the sovereign representative can doe to a subject, on what pretence soever, can properly be called injustice, or injury; because every subject is author of every act the sovereign doth; so that he never wanteth right to any thing, otherwise, than as he himself is the subject of God and bound thereby to observe the laws of nature. And therefore it may, and doth often happen in common-wealths, that a subject may be put to death, by the command of the sovereign power; and yet neither doe the other wrong:” (Leviathan, E.W., p. 264)

As is apparent from the two passages from *Leviathan*, the sovereign cannot commit injury or injustice against the subject, but he may by the same

acts or conduct, commit offenses against God and the laws of nature. For even the sovereign is subject to the laws of God and to the laws of nature and cannot abrogate his position as subject to God and the laws of nature either by himself or by the powers of the commonwealth.

Liberties

This constitutes a starting place to see the extent and limits of the rights of the sovereign and the subjects in civil society. From this point, a comprehensive view of Hobbes's conception of rights and the due process of upholding these rights can be developed.

To begin such an interpretation, it becomes important to understand what Hobbes meant by "liberty".

In *Leviathan*, Hobbes writes:

"Liberty, or Freedome signifieth (properly) the absence of Opposition; (by Opposition, I mean externall Impediments of motion;) and may be applyed no lesse to Irrationall and Inanimate creatures, than to Rationall. For whatsoever is so tyed, or environed, as it cannot move, but within a certain space, which space is determined by the oposition of some externall body, we say it hath not Liberty to go further. And so of all living creatures, whilest they are imprisoned, or restrained, with walls, or chayns; and of the water whilest it is kept in by banks, or vessels, that otherwise would spread itself into a larger space, we use to say that they are not at liberty, to move in such manner, as without those externall impediments they would. But when the impediment of the motion is in the constitution of the thing it selfe, we use not to say it wants liberty; but the power to move; as when a stone lyeth still, or a man is fastened to his bed by sicknesse." (Chapter 21, p. 261-62).

Let us work out the implications of this definition. It says that the impediment to motion must be external and cannot be the internal "constitution of

the thing itself". What counts is its being impeded from doing what it could and would otherwise do. A stone is not at liberty to roll when something blocks its downward path, or water is not at liberty when it is dammed.

Having established a core notion of liberty at the start of the chapter, Hobbes then begins to show how it may be applied to human beings.

"A Free-Man is he, that in those things, which by his strength and wit he is able to do, is not hindered to doe what he has a will to."
(Chapter 21, p. 262)

Therefore, to be unfree or lack liberty is to be restrained physically from acting as one wishes to act. So, to lack the strength or ability to do something, or to be unable to think of doing something, does not make a human un-free. Further, a human being is not un-free if one is motivated to do what one would otherwise not wish to do. Hobbes gives the example of throwing one's goods into the sea if one fears that the ship will otherwise sink. Such an action is a free action, according to Hobbes. He argues that all action is motivated (in the sense of movement caused by external factors). The calculations of consequences are seen as a part of the deliberation that involves appetites and aversions. An action is impelled by the prospect of good or repelled by the prospect of evil. To not do something to avoid its negative consequences is no less a free or voluntary action than to do something to secure a perceived good; both are free actions.

Although Hobbes clearly emphasized the absence of physical restraints as the strict core meaning of liberty, he allows for the possibility that humans can be un-free in a less strict and different sense. He contrasts "naturall liberty" which he calls the true liberty, with bonds that restrict civil liberty – "Artificiall Chains, called

Civill Lawes". These "Civill Lawes", though not physical bonds may 'be made to hold by the danger, though not by the difficulty of breaking them' (Chapter 21 p. 264).

Hobbes defines civil law:

"Civill Law, is to every subject, those rules, which the Common-Wealth hath commmanded him, by word, writing, or other sufficient sign of the Will, to make use of, for the Distinction of Right, and Wrong; that is to say, of what is contrary, and what is not contrary to the Rule." (Chapter 26, p. 312)

Though this definition itself omits any reference to a penalty or danger in breaking such laws, Hobbes later adds that laws that prohibit or restrict action have the implication of punishment or penalty: for a law "without fear of penalty to follow, were not a Law, but vain words" (p. 338).

So, it follows that human beings will compare the benefits of breaking the law with the penalty for breaking such laws. It is this deliberation that Hobbes sees that makes him argue that an insufficient penalty will act as an "invitement" (339) to such an action. Stricter and harsher punishments will move toward "the end that the will of men thereby the better be disposed to obedience" (p. 353). The object of penalties is to deter future offenses rather than revenge past ones.

Thus, the existence of civil laws and punishments, which are intended to deter certain actions, will be taken into account when deliberating the benefits of certain actions. However, Hobbes is clear about this, illegal actions are dangerous to the individual (in terms of the consequential punishments), but they are not impossible to commit.

Disobedience

This then brings up the question: are people “free” to disobey the law?

The question opens up several possibilities for us to explore. The first option is to restrict “freedom” to signify that only those physically barred from doing something are “unfree”. Such a clear and simple physicalist stance, however, would exclude all legal, political and social contexts in which this discussion is relevant. Besides, it would be incongruent with common usage of freedom both in contemporary times as well as in the seventeenth century.

A second position that can be envisaged is to understand the implication of a threatened punishment for disobeying the law. It is not unreasonable to assume that a threatened penalty by the state makes one “unfree” to the extent that the penalty is likely to be imposed rather than welcomed. So, a subject makes a decision based on whether to perform a certain action based on the probability of the penalty being imposed. So, “unfreedomness” becomes a degree of the probability of getting caught and the penalty being imposed. A clear example is exceeding the speed limit on a highway. A person makes a judgment call on whether to drive over the speed limit based on the probability of being spotted by law enforcement and then being issued a speeding violation citation.

The third possibility, which I think is what Hobbes had in mind, is that a subject is “unfree” to perform a certain action if it is legally prohibited. Therefore, the subject is legally “unfree” (though not physically “unfree”) to act in violation of the law. For Hobbes, the giver is free to give the gift when “not bound by any law, or Covenant to give it” and the speaker is free “whom no law hath

obliged to speak otherwise than he did" (*Leviathan*, Chapter 21, p.263). For Hobbes, a person is "unfree" when bound by law or covenant and not only when physically restricted. This implies that the subject is not hindered from performing an action or speaking when one has the will to do so *and* when it is not proscribed by law (or covenant). Therefore, one is free to obey the law but not to disobey it.

What then of a subject who has the will and the means (not being physically restrained) to disobey the law?

M. M. Goldsmith (1989) grapples with this question. He argues that Hobbes should not have written that someone is free when "not hindered to do what he has a will to" but rather that, one is free if, having the will to do something or not do something, that person would not be hindered in doing it or not doing it. As the definition stands, it makes unfreedom depend on having an actual intention of acting in some way which is hindered rather than on there being an open possibility of acting in some way. So, not being hindered in obeying the law would leave one free, as would paying a debt, keeping a promise or not attempting to leave one's prison cell. But, the law-abider is not free (to break the law) and the prisoner is not free to leave his cell. Goldsmith (1989) argues that Hobbes, perhaps, overlooked this objection since he was more concerned with other matters namely, to deny that "free actions were not subject to causal necessity" (which apply only to bodies in motion) *and* to deny the possibilities that "intrinsic incapacities made one unfree" (p. 29).

Despite this objection by Goldsmith, Hobbes's position on this is consistent with his statements about the liberty of subjects when he expands on the nature of the artificial bonds called civil laws.

"The Liberty of a subject, lyeth therefore only in those things, which in regulating their actions, the sovereign hath praetermitted: such as is the Liberty to buy, and sell and otherwise contract with one another; to choose their own aboad, their own diet, their own trade of life, and intitite their children as themselves think fit; and the like. (Chapter 21, p. 264).

It has been argued that Hobbes was quite confident that the sovereign would overlook or neglect or perhaps, not bother with what the subjects did in matters that were of little or no importance to the sovereign. In any case, the sovereign faces the fact that it is impossible to govern or regulate all the actions of the subjects.

Earlier in the chapter, Hobbes writes:

"For seeing that there is no Common-Wealth in the world, wherein there be Rules enough set down, for the regulating of all the actions and words of men, (as being a thing impossible :) it followeth necessarily, that in all kinds of actions, by the laws praetermitted, men have the Liberty, of doing what their own reason shall suggest, for the most profitable to themselves. (Chapter 21, p. 264).

So, as already argued, the greatest liberty of the subjects comes from the silence of the law. In the absence of law, there is freedom. The law and liberty are then contraries.

This is supported by his discussion of law of nature and the rights of nature. He writes:

"For though they that speak of this subject, use to confound Jus and Lex, Right and Law; yet they ought to be distinguished;

because RIGHT, consisteth in liberty to do, or to forbear; Whereas LAW, determineth, and bindeth to one of them: so that Law, and Right differ as much, as Obligation, and Liberty; which in one and the same matter are inconsistent. (Chapter 14, p. 189)

So, Hobbes seems to consistently regard human beings as being unfree to commit an action that is prohibited by law (or covenant). When the law prohibits an action or speech, it provides a punishment or penalty. The punishment is intended to deter the breaking of the law. So, fear of punishment does enter into the ratiocination of whether to break a law. However, Hobbes maintains that actions performed because of fear are free actions. What he means by that is that action caused by fear is still free from physical restraints. Hobbes relates two examples: a person who pays a debt for fear of imprisonment does so freely as does a person who throws his goods into the sea “for feare the ship should sink”.

It is therefore possible to be physically free to do what one is legally unfree to do. Hobbes makes a clear distinction between a more narrow physical liberty and a more extended artificial liberty (the absence of laws or covenants binding persons to act or not act in certain ways).

Hobbes is often accorded the position of being the principal exponent of “negative liberty” (Berlin, 2002). Negative liberty delimits a sphere in which action is to be under the control of the acting individual (or group) and from which others are excluded. The central concern to the notion of negative liberty is: What is the area within which the subject is left to do or be what he/she is able to do or be without influence from others?

This is different from the central concern of “positive liberty”, which is: “What or who controls what the subject can do or be”.

Although Hobbes was a theorist of “negative liberty”, he has a distinct approach to it. He does not clearly articulate an assertion that there does or should remain a sphere of action in which the subject would be free from interference by other individuals or the state. As explained earlier, he begins by proposing a general definition of what he sees as liberty, which equally applies to all bodies, and then begins to develop a discussion of liberty as it applies to humans and subjects. His exercise here is to describe “liberty” rather than delineate a sphere that should be immune from influence and interference.

There is for Hobbes original liberty. Human beings are “least unfree” or at “greatest liberty” in the state of nature – where everyone possesses an unrestricted right of nature.

“The Right of Nature, which Writers commonly call *Jus Naturale*, is the Liberty each man hath, to use his own power, as he will himselfe, for the preservation of his own Nature; that is to say, of his own Life; and consequently, of doing any thing which his own Judgement, and Reason, hee shall conceive to be the aptest means thereunto. (Chapter 14, p.189)

So, in the state of nature, besides the laws of nature, there is no constraint of civil law (or covenant). However, even in the state of nature, Hobbes’s conception of liberty centers around man’s “preservation of his own Nature; that is to say, of his own life.” In the natural state of war of everyone against everyone, where there is no certain method of preserving oneself, it is justifiable to take what someone else has, even someone’s life, and even anticipate an

attack by subduing any others that one can. And so, Hobbes claims, there can be no limit on anyone's natural rights:

“It followeth, that in such a condition, every Man has a Right to every thing; even to one anothers body. (Chapter 14, p. 190)

I think it is essential to explore the possible discrepancy that arises from these two notions of unrestricted liberty in the state of nature.

On the one hand, in a narrow sense, the unrestricted liberty is a right to take the necessary steps (dictated by prudential reason) to *preserve one's life*.

On the other, in a wider sense, it is a right to everything one wants.

Goldsmith (1989) believes that these two positions in Hobbes are not incompatible. He traces Hobbes's expansion of the narrower right to preserve one's life to the more expansive notion through a series of logical steps:

- 1) A person has the right to preserve oneself, one's life, health and limbs;
- 2) That right implies the right to use whatever means are necessary to achieve that purpose;
- 3) Each person has the right, then, to judge what means are necessary to achieve that end. The reasoning used to choose a particular means is not subject to another's judgment.
- 4) A decision to undertake an action involves a judgment that the course of action is for one's benefit and cannot be rebutted by others as the best means to preserve one's life and limbs;
- 5) So, in the absence of any civil obligations and in a situation where one is threatened, everyone has the right to everything.

So, if one has the liberty to do something (is not unfree) then one has the *right* to do it.

Might as Right

Hobbes is very clear about there being liberty, which is least restricted in the state of nature. Indeed, for the purpose of his argument, he is explicit in arguing that there is 'unlimited' liberty in the state of nature. But he argues in both, *De Cive* and *Leviathan*, that this liberty is "unfruitful" though entire in scope. It is "unfruitful" because if the same condition exists for all there are no exclusive rights and no inviolable protected sphere of rights for individuals. Concluding that such an undesirable situation will lead those in that condition to covenant with each other to form a commonwealth, join themselves into a union, authorize a sovereign, thus they overcome their natural love of liberty in order to achieve their even greater desire for self preservation and peace. And so, they allow the sovereign to bind them by laws and tie them by fear of punishment to keep their covenants, and obey the laws.

So, within civil society, the scope of liberty, according to Hobbes, is restricted. However, where there are no laws, the subject retains the liberty to do or be *anything* (from the wider definition outline earlier).

This "residue of natural liberty" (Goldsmith's term) however, is not to be confused with the inalienable rights that Hobbes gives subjects: to refuse to obey a command to kill, wound or maim himself or to refrain from things necessary to life (food, water, etc.); to resist direct attacks (including being arrested or to resist when being marched to be executed); to refuse to kill another, execute

dishonorable or dangerous missions (unless such refusal will frustrate the purpose for which the sovereignty exists); and even to refuse to fight for the commonwealth, as long as a substitute soldier is provided – except when everyone is called upon to enlist.

Even though Hobbes's sovereign is absolute and there is no inviolable sphere of liberty in a subject's life where the sovereign may not interfere, Hobbes recognizes that the subject still retains these rights. For him, apart from these rights, there can be no claim of liberty to disobey the law or the sovereign. To make a claim to be exempt from the sovereign power or the law, is to return to the state of nature.

However, where no law prohibits or commands, there is absolute liberty. Hobbes did not envision or advocate excessive restrictions through laws. He thought that the possible actions of subjects were so numerous and diverse that that no sovereign could enact laws that govern all their actions:

“For seeing there is no Common-wealth in the world, wherein there be Rules enough set down, for the regulating of all the actions, and words of men, (as being a thing impossible:) it followeth necessarily, that in all kinds of actions, by the laws praetermitted, men have the Liberty, of doing what their own reasons shall suggest, for the most profitable to themselves..... The Liberty of a subject, lyeth therefore only in those things, which in regulating their actions, the sovereign have praetermitted.... (Chapter 21, p. 264)

Hobbes goes on to argue that just as the absence of all restriction would dissipate society as stream or lake without banks, so would excessive restrictions and laws stagnate society and make the subjects “dull and unwieldy”. So, subjects were to be allowed much harmless liberty.

Moreover, Hobbes advises the sovereign to have laws that were few and clear and institute only “necessary” laws.

“For the use of Lawes, (which are but Rules Authorised) is not to bind the People from all Voluntary actions; but to direct and keep them in such a motion, as not to hurt themselves..... Unnecessary Lawes are not good Lawes; but trapps for Mony; which where the right of Sovereign power is acknowledged, are superfluous; and where it is not acknowledged, insufficient to defend the people. (Chapter 30, p. 388)

Again, later in the passage, Hobbes articulates that the office of the Sovereign was to, though passing appropriate, clear laws, provide peace and security to the people.

But the sovereign was to do more than that. The sovereign was to not merely preserve the life of the subjects but to “Furnish the subjects abundantly, not only with the good things belonging to lifebut those that advance to delectation” (*De Cive*, Chapter 13, p. 259).

In *Leviathan*, he writes:

“ The Office of the Sovereign, (be it a Monarch or an assembly,) consisteth in the end, for which he was trusted with the Sovereign Power, namely the procuration of the safety of the people; to which he is obliged by the Law of Nature, and to render an account thereof to God, the Author of that Law, and to none but him. But by Safety here, is not meant a bare preservation, but also all other contentments of life, which every man by lawfull industry, without danger, or hurt to the Common-wealth, shall acquire to himselfe. (Chapter 30, p. 376)

Hobbes expected the state to more than provide a framework in which subjects could pursue their desires about buying and selling and contracting with one another, or even choosing where they may live, educate their children and

“the like”. Rather he expected the state to secure the ‘contentments of life’ by promoting the ‘arts’ of navigation, agriculture, etc.

“...there ought to be such lawes, as may encourage all manner of Arts; as Navigation, Agriculture, Fishing, and all manner of Manufacture that requires labour.. (Chapter 30, p. 387)

He goes further to include public charity to those who are unable to maintain themselves by their own labor.

“ And whereas many men, by accident unevitable, become unable to maintain themselves by their labour; they ought not to be left to the Charity of private persons; but to be provided for, (as far-forth as the necessities of Nature require,) by the Lawes of the Commonwealth. For as it is Uncharitableness in any man, to neglect the impotent; so it is in the Sovereign of the Common-wealth, to expose them to the hazard of such uncertain Charity. (Chapter 30, p. 387)

Hobbes, clearly had a more robust vision of the state than as a mere preserver of the peace and security. He envisaged the economic activities of subjects within a mercantilist state which could promote the well-being and “contentments of life” for the members of the commonwealth. That is how Macpherson (1962) draws on the economic foundations in Hobbes to see him as the “progenitor” of modern capitalism.

Goldsmith (1989) further argues that despite the fact that Hobbes expected subjects to be free and unencumbered from unnecessary laws and interference by the sovereign, a case can be made that Hobbes’s arguments can be directed against positions that are usually associated with classical liberalism. For instance, there is no desirability for maximizing liberty or freedom of the individual. Also, there is no protected sphere against state interference – merely self-protective rights. For Hobbes, then, the security and well being provided by

the state are more valuable than liberty. Goldsmith believed that Hobbes reached this position because he was convinced that the threat to the liberties of individuals was not from the state but from the “depredation of others” (1989, 37).

That point is debatable. If Hobbes was clearly convinced that the threat to a person’s liberty was only from another person in a civil society and not from the state or sovereign, he would *not* have written:

“ As for other Liberties, they depend on the silence of the Law. In cases, where the sovereign has prescribed no rule, there the Subject hath the liberty to do, or forbear, according to his own discretion. And therefore such liberty is in some places more, and in some lesse; and in some times more, in other times lesse, according as they that have the sovereignty shall think most convenient. (Chapter 21, p. 271)

Clearly, Hobbes placed the onus of the expansion or contraction of a person’s liberties with the sovereign’s power to enact laws. In that passage he gives the example of some places in the world where “men have the liberty of many wives; in other places such liberty is not allowed”. In other places it is not allowed because the sovereign institutes laws that prohibit it. Therefore, the sovereign directly affects a person’s liberty.

Further, he would not have found the necessity to expound on the self-preservation rights of individuals unless he recognized that the state could be the instrument that could cause his greatest fear – a violent, untimely death.

Against Liberty

Goldsmith makes a strong case that Hobbes was not completely enamored by the idea of individual liberty. Indeed that there are instances where one could find hostility in his treatment of liberty of a subject in a commonwealth.

For instance in the way he treats claims to liberty: either they are claims for physical liberty (in which case the claimant already possesses the liberty), or they are claims for exemption from the law (in which case the claimant is seeking to undermine the authority of the sovereign). Further, Hobbes harshly criticizes Aristotle for identifying liberty with democratic government. He writes:

“The Libertie, whereof there is so frequent, and honorable mention, in the Histories, and Philosophy of the Antient Greeks, and Romans, and in the writings, and discourse of those that from them have received all their learning in the Politiques, is not the libertie of particular men; but the Libertie of the Common-wealth: which is the same with that, which every man then should have, if there were no Civil Laws, nor Common-wealth at all. And the effects of it also be the same. For as amongst masterlesse men, there is perpetuall war, of every man against his neighbour; no inheritance, to transmit to the son, nor to expect from the father; no propriety of Goods, or Lands; no security; but a full and absolute libertie in every particular man: so in States, and Common-wealths not dependent on one another, every Common-wealth (not every man) has an absolute Libertie, to doe what it shall judge (that is to say, what that Man, or Assemblie that representeth it, shall judge most conducing to their benefit..... But it is an easy thing, for men to be deceived, by the specious name of Libertie; and for want of Judgement to distinguish, mistake that for their Private Inheritance, and Birth right, which is the right of the Publique only. And when the same error is confirmed by the authority of men in reputation for their writings in this subject it is no wonder if it produce sedition, and change of government from Aristotle, Cicero, and other men, Greeks and Romanes, that living under Popular States, derived those Rights, not from the Principles of Nature, but transcribed them into their own books, out of the practice of their own Common-wealth..... (Chapter 21, p. 266-267)

What Hobbes was critiquing was Aristotle's claim of an independent civilian in a democratic government. Hobbes considered this to be confused, mistaken and perhaps even, seditious. For Hobbes, the source of Aristotle's (and Cicero's) misjudgment is that, instead of deriving rights from the *principles of*

nature, they merely transcribe into their writing the practices of their popular commonwealths. As a consequence, because of a reliance on the intellectual authority of the ancient Greeks, his contemporaries had misconceived liberty to mean political liberty of individual subjects. For Hobbes, such claims to liberty could be dismissed virtually by definition.

So, Hobbes does show some hostility towards expansion of liberty for individual subjects. Most claims to liberty can be rejected. They are either redundant (claims to physical liberty), inconsistent with society by negating the very reason the commonwealth exists (claims to exemptions from the law), or mistaken and confused (claims for political liberty that are not derived from the state of nature).

Hobbes's account of liberty is based on a physicalist perspective. He begins with bodies in motion and then extends the analysis to include certain inalienable rights to self-preservation and moves further to the absence of obligation. He begins his original analysis on the origins of liberty in the state of nature and then extends what liberties may be retained in a commonwealth without frustrating the very reason the commonwealth was instituted. It is a systematic analysis and ends with a non-evaluative account of liberty. When discussing '*Liberty of Subjects --how to be measured*' in Chapter 21 of *Leviathan*, he writes:

“To come now to the particulars of the true Liberty of a Subject; that is to say, what are the things, which though commanded by the Sovereign, he may neverthelesse, without injustice, refuse to do; we are to consider, what rights we passe away, when we make a Common-wealth; or (which is all one), what liberty we deny our

selves, by owning all the Actions (without exception) of the Man, or Assembly we make our Sovereign. For in the act of our *Submission*, consisteth both our *Obligation* and our *Liberty*, which must therefore be inferred by argument taken from thence; there being no Obligation on any man, which ariseth not from some Act of his won; for all men equally, are by Nature Free. And because such arguments, must either be drawn from the expresse words, / *Authorise all his Actions*, or from the Intention of him that submitteth himself to his Power, (which Intention is to be understood by the End for which he so submitteth;) The Obligation, and Liberty of the Subject, is to be derived, either from those words, (or others equivalent;) or else from the End of the Institution of Sovereignty; namely, the Peace of the Subjects within themselves, and their Defence against a common enemy. First therefore, seeing Sovereignty by Institution, is by Covenant of every one to every one..... It is manifest, that every Subject has Liberty in all those things, the right whereof by Covenant cannot be transferred.... (Chapter 21, p. 268, Italics in Original)

So, liberty can be “measured” only to the extent that those liberties cannot be transferred by covenant – such as the right to self-preservation. For instance, “Covenants not to defend a man’s own body, are voyd” (p. 268). All other liberties have been submitted to the sovereign through the “act of our submission”. So, Hobbes moved away from a method of delineating a space or sphere of liberty that may be measured and instead, reiterates the absolute nature of the sovereign power and the authorizations by the subjects that made this power possible. Once they submit to the sovereign they are legally obliged to be “authors” of all his actions.

Law and Institutions

There is however, another reading of Hobbes that seeks to understand his conception of obligation in less restrictive terms. Larry May (1992) tries to understand how Hobbes conceived of the reasons or factors that would lead

people to obey a legal authority as well as accept legal institutions as deserving of respect.

He begins his analysis with the “curious” claims that those who have been justifiably condemned to death and even those who have been legitimately commanded to serve in dangerous combat situations may *justifiably* disobey the law. Would such claims undermine overall fidelity to the law?

Hobbes is most often portrayed as an unabashed apologetic of the extreme view that a subject in a commonwealth must always obey a valid law. The passage in *Leviathan* most often cited in the literature to support that claim is:

“...When a Common-wealth is once settled, then are they actual lawes, and not before; as being then the commands of the Common-wealth; and therefore also Civill Lawes: For it is the Sovereign Power that obliges men to obey them For Justice, that is to say, Performance of a Covenant, and giving to every man his own, is a Dictate of the Law of Nature. But every subject in a Common-wealth, hath covenanted to obey the Civill Law..... And, therefore obedience to the Civill Law is part also of the Law of Nature. (Chapter 26, p. 314)

Further in the same Chapter, Hobbes goes on to extend that argument to mean that subjects are not merely bound to obey what has been written as civil law, but that their obligation goes further. This further obligation comes from reason which dictates subjects attempt to act in the interest of the sovereign, and that such “fidelity” to the sovereign is also a “branch of natural justice” (Chapter 26, p. 318-9). Hobbes discusses this in reference to the obedience owed by representatives of the sovereign. It is pertinent to this discussion because it

implies that at least *some* members of the commonwealth are obligated to do more than obey the law. So, all members of a commonwealth should *obey* the law, while some (perhaps due to their special positions of power in society) should also show *fidelity* to the sovereign power.

Fidelity to the sovereign means more than merely obeying the law. It means having a positive appreciation (perhaps respect) for the civil laws promulgated by the sovereign. Does Hobbes think it is possible for all subjects to display fidelity towards the law?

One reason for thinking that Hobbes might support fidelity to the law from *all* subjects is that he regards all legal obedience to the law to be rationally compelling as well as being morally obligatory. But it is important to ascertain what is rationally compelling about the entire legal system or even particular laws in order to see if Hobbes indeed held that people should not only obey the law (perhaps purely out of fear) but also respect the law and the sovereign power that instituted it.

Hobbes says that a legal system promulgated in a civil society should be rational and consistent towards one end: the maintenance of peace. It has only this overarching ideal.

“...And Law was brought into the world for nothing else, but to limit the naturall liberty of particular men, in such manner, as they might not hurt, but assist one another, and joyn together against a common Enemy. (Chapter 26, p. 315)

Given that the subjects in a civil society (having given up the natural liberty of the state of nature) have very positive attitudes towards peace, it is perhaps,

not a far stretch to see how they would have good reasons to support and have fidelity to a legal system that ensured the maintenance of peace. In a civil society, it is only the legal system and the might of the enforcing sovereign that will be effective in controlling the natural right of everyone characterized by the state of nature. Hobbes believed that it is for this reason that, rationally, people should support a legal system that assures peace.

Private Objectors to the Law

For Hobbes, if a legal system has been duly instituted by an authorized sovereign, it is valid (it must be obeyed). Not only is it valid, meaning it is to be obeyed, but the reasons cited above should serve to show that subjects should also have “fidelity” to the legal system. This can be seen in passages in Leviathan where Hobbes argues against those who hold their conscience to be the final test to determine whether any given law (or legal system) deserved to be obeyed. He contends that such an attitude of selective conscientious objection to laws is contrary to the laws of nature. Those who hold individual conscience to be above the law are not to be trusted to do what all members of a civil society have been entrusted to do namely, maintain the peace above all else. In other words, individual subjects who have an attitude of selective conscientious objections to particular laws, instead of an attitude of fidelity to the law, act contrary to the laws of nature which clearly incline subjects towards peace as the primary good of a civil society.

Another basis for thinking that Hobbes would support a position of fidelity

to the law over the position of selective conscientious objectors to the law, is that he argues that we should form negative attitudes against that position. This is made evident from this passage from *De Corpore Politico*:

“There are two things that may trouble his mind... for the first, it consisteth in this, that a subject may no more govern his own actions according to his own discretion and judgment, or which is all one, conscience, as the present occasion from time to time shall dictate to him; but must be tied to do according to that will only, which once for all he had once laid up, and involved in the wills of the major part of an assembly, or in the will of some one man. But this is no real inconvenience. For, as it hath been showed before, it is the only means, by which we have any possibility of preserving ourselves. For if every man were allowed the liberty of following his own conscience, in such difference of consciences, they would not be able to live together in peace an hour (EW IV p. 163-4)

Later the passage argues that where one person has the attitude of being a conscientious objector, and the rest do not, in such a society one person has a “government” unto himself and is not under the same government as the rest. He concludes that such a situation is divisive and seditious.

So, it appears to be a reasonable conclusion to say that Hobbes strongly favored fidelity to the law (not just obedience to it). Firstly, he finds obedience to the law to be obligatory (not merely out of fear of penalty), but also because obedience to the law is rationally compelling. Secondly, Hobbes clearly opposes selective conscientious objectors to the law.

How then do we resolve the apparent contradictions in understanding how Hobbes can support a strong sense of fidelity to the legal system and still say that it is right for a person to attempt to resist his captors or executioners even if the execution sentence itself is valid and legitimate? For that answer we need to

examine some of the limitations of legal obligations and other limitations on the exercise of sovereignty in a civil society.

In *De Cive*, Hobbes recognized that the sovereign has certain duties to the subjects, even though the sovereign is not party to the social contract among subjects.

“Now all the duties of rulers are contained in this one sentence, the safety of the people is the supreme law (Chapter 13, p. 258).

It is important to note that Hobbes defined safety in very broad terms in *De Cive*. Later in the same passage, he writes:

“ But by safety must be understood, not the sole preservation of life in what condition soever, but in order to its happiness. For this end did men freely assemble themselves and institute a government, that they might, as much as their human condition could afford, live delightfully (Chapter 13, p. 259).

Hobbes then goes on to list the conditions for happiness derived from this broad notion of safety. He writes:

“The benefits of subjects, respecting this life only, may be distributed into four kinds. 1. That they be defended against foreign enemies. 2. That peace is preserved at home. 3. That they be enriched, as much as may be consist with public security. 4. That they enjoy a harmless liberty (Chapter 13, p. 260)

Let us briefly examine the four kinds of benefits. The first benefit sets out the general parts of the first law of nature – people leave the state of nature for the very reason of security. The second kind of benefit is also derived from the first law of nature – people seek peace and follow it.

But benefits three and four are not directly based on the first law of nature.

The first law of nature is based on the general rule of reason that:

“...every man, ought to endeavor peace, as far as he has hope of obtaining it....” (Chapter 14, p.190).

This law of nature seems to imply that persons should use all means to obtain peace, and *not* that a person should retain and exercise some natural right when it appears to be harmless to do so. And yet, Hobbes did not think that just any state of peace is to be preferred to the state of nature. The peace that people seek in a commonwealth includes the possibility to pursue “commodious living” (*Leviathan*) and they seek the conditions to “live delightfully” (*De Cive*).

Therefore, the peace must include certain liberties for the subject.

If a sovereign tries to pass bad laws which unnecessarily restrict liberties necessary for “commodious living”, the sovereign acts wrongly by risking the loss of the awe and trust of the people.

“For the use of Lawes, (which are but rules Authorised) is not to bind the People from all Voluntary actions; but to direct and keep them in such motion, as not to hurt themselves..... And therefore a Law that is not Needfull, having not the true End of a Law is not Good. A Law may be conceived to be Good, when it is for the benefit of the Sovereign; though it be not necessary for the People; but it is not so. For the good of the Sovereign and People, cannot be separated.... Unnecessary Lawes are not good Lawes; but traps for Mony: which where the right of Sovereign Power is acknowledged, are superfluous; and where it is not acknowledged, insufficient to defend the People. (Chapter 30, p. 388)

Therefore, it may *not* be contrary to the laws of nature for subjects to reject these laws and even reject the law-maker’s authority when their own peace (broadly conceived) is not advanced.

Hobbes’s claim that it is the duty of the sovereign to ensure that subjects enjoy a “harmless liberty” to advance their own happiness, sets an important and

often unacknowledged limit on the sovereign. So, if laws are passed (legitimately and through valid means), but these laws are “unnecessary” for ensuring the peace, then such laws are undeserving of respect in a commonwealth. But Hobbes does not go so far as to call them “invalid” laws. Obedience to a law may be owed, in certain cases, even if respect for such a law is not owed.

When thinking along these lines, we are reminded to determine, if the violation of a particular law will risk undermining or damaging the commonwealth. We also need to concern ourselves about the intentions of the person who violates the law. Hobbes stressed an understanding of the person’s intention when violating the law. He spent time explaining two cases of justifiable disobedience.

First, let us look at the case of the soldier of the sovereign. Hobbes is very clear and consistent about this point: a covenant that commits a person not to defend himself by force, from force is always void. This has two implications among the laws that the sovereign can pass – laws that require the death penalty for certain offenses and laws that require subjects to serve in dangerous battlefield situations. Though similar, these two cases are not exactly alike. In the former case, it is against reason for a condemned man to not resist his death at the hands of the executioner. The condemned subject entered into the commonwealth to avoid a violent death, and acquiescing tamely to the will of the executioner violates the very reason he subjected himself to the sovereign and entered the commonwealth.

The latter situation, it is not so clear. Can a soldier be commanded not to defend himself by the means available? Indeed, it is conceivable that the very conscription law gives a soldier arms necessary for defense. Yet even for such a soldier, there is the possibility of justifiable disobedience to the laws of the sovereign in two specific instances: 1) If the subject is able to substitute a sufficient replacement soldier in his place since it demonstrates that he “in this case deserteth not the service of the commonwealth”. Hobbes seems to suggest here that unless the disobedience to the law risks harm to the commonwealth, it may be, in certain instances, justified to break the law. Still, it seems to run counter to the arguments that he makes against selective conscientious objectors to the law. 2). The second instance of when disobedience to conscription laws may not be unjust is the case of naturally timid, timorous persons. If a person runs away from the battlefield, not from treachery, but fear, a person acts dishonorably, but not unjustly. Hobbes qualifies this position by stating that if someone has already accepted money in exchange for promised service then the excuse of cowardice will not relieve him of his obligation to his service to the sovereign.

For Larry May (1992), these two instances that Hobbes analyzes provides us some clues about his ideas on fidelity to the law, as opposed to mere obedience to it. It appears that he was comfortable with the idea that subjects need to be faithful to the legal system of laws and not necessarily faithful to every particular law. Their fidelity to the legal system must take the form of not

intentionally risking harm to the system instituted by the sovereign. Further, fidelity to law is only owed to systems of law that protect the peace.

Second, let us look at the case of the condemned prisoner who is to be executed. Hobbes says that a subject is not bound to follow a law that will lead to his execution, even if the law is legitimately instituted.

“If the Sovereign command a man (though justly condemned,) to kill, wound, or mayme himselfe; or not to resist those, that assault him; or to abstain from the use of food, ayre, medicine, or any other thing, without which he cannot live; yet hath that man the Liberty to disobey. (Chapter 21, p. 268-9)

The reason for this is clearly spelled out later in the same passage.

“No man is bound by the words themselves, either to kill himself, or nay other man; And consequently, that the Obligation a man may sometimes have, upon the Command of the Sovereign to execute any dangerous, or dishonorable Office, dependeth not on the Words of our Submission; but on the Intention; which is to be understood by the End thereof. When therefore our refusall to obey, frustrates the End for which the Sovereignty was ordained; then there is no liberty to refuse: otherwise there is. (Chapter 21, p. 269)

This claim is further supported by:

“The Obligation of Subjects to the Sovereign, is understood to last as long, and no longer, than the power lasteth, by which he is able to protect them. (Chapter 21, p. 272)

This line of reasoning in Hobbes seems to suggest that that disobedience of the law is not anathema to civil society, but rather depends on whether such disobedience jeopardizes the peace of the commonwealth. If it jeopardizes the peace, then it clearly goes against the reason why subjects entered into a commonwealth. But if the disobedience does not jeopardize the peace, then it is conceivable that Hobbes allowed for *some* disobedience. Allow me to note that

Hobbes does not justify the disobedience but merely acknowledges that it *will* happen. While there is no legal right for disobedience to the law, there may be rational grounds for disobedience, if the individual subject in question is threatened by the execution of the law. In cases when obedience to a law puts a person's safety at stake, there is not a compelling reason in Hobbes's logic to obey that law. If the sovereign *cannot* or *will not* protect the subjects, the subject is not obligated to obey the sovereign or his laws.

Yet, Hobbes is strident about this point that seems to contradict the statement above. If our disobedience undermines the very reason for instituting the commonwealth, then we are obliged to obey the law, perhaps out of respect for the system of laws.

“When our refusal to obey, frustrates the End for which the Sovereignty was ordained; then there is no Liberty to refuse; otherwise there is. (Chapter 21, p. 269)

Larry May (1992) seeks to resolve this difficulty in understanding the obligation to the law by distinguishing between obedience to laws and an overall fidelity to the system of laws. Fidelity of law, May argues, is the only way in which to explain why Hobbes believed that some people are still obligated to obey the law, even if it runs contrary to their self-interest (but not to loss of their life or limbs). Fidelity to the law also helps explain why Hobbes is against selective conscientious objection to the law. If a person had a healthy respect (perhaps coupled with an element of fear) for the law, such a person would feel committed to obey the law except in threatening situations (which involve loss of life and limb).

My Position

Allow me to further clarify my position. In Hobbesian thought, there is no legal justification for breaking the law. But there may be a rational justification for breaking certain laws that do not undermine the overall system of laws. Hobbes was a realist. He knew that it would be unrealistic to expect complete obedience from every subject in the commonwealth when their self-interest is better served by breaking certain laws. In individuals, reason does not cease to function once they enter civil society. It is reason that makes us enter civil society and reason dictates how we choose to “live delightfully” within such a society by maximizing our self-interest.

For example, if I am running late to attend my final dissertation defense and break the law by exceeding the speed limit on the highway, Hobbes would allow me no legal justification to break the law. However, he would recognize that I *will* break the law (by speeding) to be able to attend my dissertation defense on time (since it is in my self-interest). I believe that Hobbes would be concerned and sanction against me if I continued to break the law (by speeding) even after the date of my dissertation defense. That is because by continuing to break the law, I am undermining the overall system of laws. And reason informs me that by undermining the system of laws, I am responsible for contributing to the dissolution of civil society. On the other hand, I owe fidelity to the system of laws because reason dictates that I should live in a civil society rather than the state of nature. Therefore, compelled by reason, I recognize that I owe allegiance to the system of laws.

The idea of fidelity to the law might also explain the notion of *habit* of obedience to the law. If the only reason that people obeyed the laws of the sovereign was fear, and there was no habit of obedience, the sovereign would have to win anew each day the obedience to the law for each subject. This would entail the exhausting demonstration of power by the sovereign each day to assert his authority and thereby, his legitimacy.

May argues that Hobbes makes a good case for a sovereign power to develop among citizens a habit of obedience that would be strong enough for the sovereign not to have to worry about subjects' support for the system that the sovereign instituted. Hobbes also argues that the development of the attitude of obedience can be channeled towards the attitudes towards peace in general. Such attitudes counteract the natural egoistic desires that humans are subject to.

The attitude to fidelity of law is therefore is an essential feature of any stable system of law. But such a healthy attitude of fidelity to the law does not exclude all disobedience to specific laws. Only disobedience that threatens or "frustrates the very end" of the legal system is disallowed. Perhaps, that is the way one can understand the contradiction in Hobbes's claim that, for example, a soldier may justly disobey the conscription law unless the law jeopardizes the peace of society as a whole.

Hobbes explains that an obligation to obey a law, while different from an obligation to keep a promise, nonetheless rests on a covenant or promise to act. As a consequence, a man is obliged to obey (or promise to act) even before he fully knows what is expected of him. That idea means that Hobbes felt that

people in a civil society should develop the habit of fidelity to law where they come to feel bound to obey even before they know what the specific law requires of them.

In *De Homine*, Hobbes links such habits with virtues in a civil society. He defines manners, virtues, and vices in the passage.

“...Dispositions, when they are so strengthened by habit that they beget their action with ease and with reason unresisting, are called *manners*. Moreover, manners, if they be good, are called *virtues*, if evil, *vices*. (*De Homine*, Chapter 13, p. 68)

Subsequently, Hobbes expounds that the attitude of fidelity to the law forms the basis of all civic virtues in a commonwealth. It also helps us understand the lack of obligation of the soldier who will not serve, or the condemned man who will fight for his life. Even though the law is broken in those two instances, the structure of law is never jeopardized. By such reasoning, Hobbes is able to preserve a strong sovereign and a system of laws, while granting legitimacy to acts of self-preservation among individuals in a civil society.

In the light of this argument, it may be fair to say that Hobbes's view on rights and liberties of subjects is more nuanced than is generally acknowledged. Above everything else, it is a very rational view. Fidelity to law is not absolute, but is based on a reasonable principle that people should not disobey the law if such disobedience would threaten the stability of the system of law. By extension of that reasoning, Hobbes is more concerned with respect for *institutions* rather

than particular laws. Respect for institutions should remain in place until an institution cannot or will not provide for the common peace.

Fidelity to the law is a subtle but defensible position in Hobbes. Hobbes, obviously, struggled with reconciling the conflict that arises between a person's obligation to pursue peace as a societal good versus the need to pursue safety and avoid bodily harm as an individual, personal good. Readers of Hobbes might argue that Hobbes comes down squarely on the side of societal good. However, even as he did that, he recognized a rational basis for legitimately disobeying the sovereign. That position is well articulated by contemporary liberal scholars. However, Hobbes was perhaps the first political theorist to recognize it and give it a rational basis. In that sense, Hobbes was a precursor of modern liberalism – a proto-liberal (as John Wells [2004] puts it).

I think such a nuanced reading of Hobbes allows us to review our readings of the tension between security and liberty in contemporary America. I believe that this understanding of Hobbes may provide more clarity on how we understand the very foundations on which this debate is staged.

In the next Chapter, I will compare the position of Hobbes on this issue with the work of some scholars who are writing about it today. I propose a three-step process: (i) say what the scholar says about the issue, (ii) critique it from Hobbes's perspective, and (iii) explore the consequences of the critique for the scholar's argument. By critique I mean not necessarily a criticism, but an inquiry that goes to the foundations of their arguments or positions.

CHAPTER IV

SECURITY AND LIBERTY IN PUBLIC ADMINISTRATION

In this Chapter, I will examine the current discussion in Public Administration (through the 2002 *Public Administration Review* Symposium on Public Administration and Civil Liberties). I will then try to apply some of Hobbes's thoughts on the subjects to see how they might inform our discourse and perhaps, help understand practical measures that are being used in the field today.

The Current Discussion

After September 11 and the discussions that followed in our field, we tend to have focused on the struggle between defenders of civil liberties and those who advocate for increased executive power to enhance security. David Rosenbloom (2002) characterizes this struggle as the "age-old tension between security and liberty" (p. 58). By way of contrast, we may note that Hobbes himself argued for of a natural complementary relationship of security and liberty. That proposal of reciprocal relationship that opens up a perspective otherwise excluded: Hobbes's reasoning enables us to see that liberty grows out of security and security out of liberty. Yet, the argument that they are incompatible goes back to the very inception of the Republic.

Alexander Hamilton wrote in *Federalist No. 8*:

“Safety from external danger is the most powerful director of national conduct. Even the ardent love of liberty will, after a time, give way to its dictates. The violent destruction of life and property incident to war, the continual effort and alarm attendant on a state of continual danger, will compel nations the most attached to liberty to resort for repose and security to institutions which have a tendency to destroy their civil and political rights. To be more safe, they at length become willing to run the risk of being less free. (1787, p. 40)

Americans have largely accepted this view that in a time of insecurity, civil and political rights will be curtailed. Indeed, American history is replete with periods of time when liberties and rights were under pressure in times of war or insecurity. Anthony Lewis (2002), and Cohen & Wells (2004) have documented the various times when liberties were sacrificed at the altar of security. Some of the instances that they describe are listed below.

Barely seven years after the First Amendment was added to the Constitution in 1791, Congress passed the Sedition Act in fear of a war with France following the French Revolution. One of the consequences of passing that legislation is that newspaper editors who criticized President John Adams were sent to jail under the provisions of that Act. The Federalists were able to play on the fears of a war to try to silence critics and even jail them, in the short time leading to the 1800 presidential elections. (Anthony Lewis, 2002).

The Civil War was another time in American history when a blatant incursion into civil liberties was made possible by fears and insecurity. The writ of Habeas Corpus, guaranteed by the Constitution, was suspended by President Lincoln. As a consequence, even the basic right of somebody who is imprisoned

to challenge the lawfulness of their detention was rendered meaningless.
(Anthony Lewis, 2002)

The twentieth century produced an even greater, more visible and more pronounced competition between advocates of security and those who argued for protecting civil liberties at all costs (Cohen & Wells, 2004).

During World War I, Congress passed the Espionage Act that President Wilson had wanted to thwart the efforts of those who opposed military conscription. Led by Attorney General Mitchell Palmer, many advocates of increased national security wished to purge the continent of “anti-American” socialists and “Reds”. Eugene Debs is perhaps the most famous victim of the incursion made into individual rights of free speech and association. He was jailed for 10 years for making a public speech in which he expressed support for those who were jailed for opposing military conscription. (Anthony Lewis, 2002; Rosati, 2004)

Under Franklin D. Roosevelt’s administration, during World War II, Japanese Americans were relocated from their homes and moved by force to detention camps. These Japanese-Americans were never given a chance to prove their loyalty to America or contest their detention in the camps in Utah. (Anthony Lewis, 2002). The period of uncertainty that ensued provided the setting for the rise of Senator Joseph McCarthy’s prolonged assault on individual freedoms by the national governments loyalty-security enforcers, who would ask ordinary civilian federal employees questions like:

- “Were you a regular reader of the *New York Times*?
- Are your friends and associates intelligent, clever?
- What were your feelings at that time concerning race equality?
- Do you read Howard Fast? Tom Paine? Upton Sinclair?

(Quoted in Rosenbloom, 2002, p. 58).

The Cold War produced its fair share of fears and the resulting incursions into the individual rights of Americans. The fear of Communism in the national consciousness cost Americans dearly. Over the course of the four decades of the Cold War, the national defense bureaucracy (President Eisenhower termed it the “Military-Industrial Complex”) grew faster than at any other time in American history (Rosati, 2004). Many Americans lost their jobs, not just in government offices, but even in Hollywood, simply because they were suspected of being ‘un-American’ or disloyal to America. They were never given a choice to prove their loyalty or patriotism (Anthony Lewis, 2002; Rosati, 2004).

America after September 11 is again faced with the challenge of finding a sustainable balance between security and individual liberties for its citizens. This challenge is made more difficult because the enemy is unscrupulous and let nothing get in the way of it achieving its terrifying aim: the complete destruction of America as we know it (Anthony Lewis, 2002). The challenge of confronting the terrorists is further exacerbated because we have to fight an “unprincipled enemy without losing our principles” (p. 61).

When we seek to anchor our efforts to fight back against the terrorists

without “losing our principles”, our first impulse is to return to the Constitution. The Constitution is committed to providing both security against external threats (“insure domestic tranquility”), while simultaneously protecting individual freedoms (“secure the Blessings of Liberty”). But it gives no direction on how the balance might be achieved or indeed, what an acceptable balance looks like.

In the symposium in the 2002 Special Issue of *Public Administration Review* entitled ‘Public Administration and Civil Liberties’, various public administration scholars sought to find guidance to judge what they already saw as need to balance opposites -- when were the trade-offs between security and liberty acceptable and how could these balances be justified.

Let us examine what the scholars in the 2002 Public Administration Review Symposium have to say about this issue and then compare and contrast their position against Hobbes’s position. From that point, we may understand some of the theoretical consequences for their arguments in the light of what Hobbes had postulated. I propose a three-step process: (i) say what the scholar says about the issue, (ii) critique it from Hobbes’s perspective, and (iii) explore the consequences of the critique for the scholar’s argument. By critique I mean not necessarily a criticism but an inquiry that goes to the foundations of their arguments or positions.

David Rosenbloom on Security and Liberty

In the short Introduction to the Symposium, Rosenbloom argues that it is the judiciary that has the ultimate responsibility of finding and articulating an

acceptable balance between security and liberty. His position is actually an echo of President Woodrow Wilson, who wrote:

“...Federal judiciaryis the only effectual balance-wheel of the whole system.....by the word of the Supreme Court must all legislation stand or fall, so long as law is respected” (Quoted in Banks, 2004, p. 29).

Rosenbloom (2002) agrees with this dependence on the judiciary:

“....The United States has wrestled with the problem of balancing security and liberty throughout its history..... Historically, of course, American security and liberty have coexisted and persisted, sometimes reinforcing and sometimes detracting from one another. Under contemporary constitutional doctrine, which has been in place for several decades, civil liberties generally may be abridged when there is a compelling governmental interest and when the infringement on protected rights is either narrowly tailored or the least restrictive means of achieving that interest. By exercising strict judicial scrutiny in such cases, the federal courts place a heavy burden of persuasion on governments to demonstrate the necessity of their ends and the acceptability of their chosen means. This formula defends individuals’ civil liberties against unnecessary or gratuitous infringements..... Neither constitutional doctrine nor civil liberties are immutable. They are very likely to be deeply affected by the threat of concerted terrorism that was driven so horribly into the national consciousness on September 11, 2001..... “ (p. 58)

Notice how Rosenbloom begins his argument with the assumption that security and liberty are naturally in competition in a civil society (America, in this case). He argues that they sometimes reinforce and sometimes detract from one another. He proposes looking back to constitutional doctrine for guidance i.e. the constitution and the courts, to enforce constitutional law. That is how he proposes to find a “balance” between security and liberty. Also noteworthy, is Rosenbloom’s implicit acceptance of a divided sovereign as the way to find this

“balance” – the judiciary will correct the excesses of the executive. He does not allow for another mode of thinking about this issue.

Hobbes on Rosenbloom’s Argument

Rosenbloom sees the security-liberty tension as a problem, whereas Hobbes sees it differently. Hobbes argues that man enters civil society (from a state of absolute, unbridled liberty in the state of nature) for the purpose of security. He wishes to escape from insecurity in the state of nature where:

“..... in such a condition, every Man has a Right to every thing; even to one anothers body. (Chapter 14, p. 190)

Man enters civil society willing to give up absolute liberty in exchange for peace. But Hobbes does not mean giving up all liberty. He writes:

“That a man be willing, when others are too, as farre-forth, as for Peace, and defence of himselfe, he shall think it necessary, to lay down this right to all things; and be contented with so much liberty against other men, as he would allow other men against himselfe. (Chapter 14, p. 190)

Hobbes sees the complementary nature of eschewing absolute liberty for peace and the possibility of “commodious living”. He does *not* highlight a tension between giving up liberty for security because, dictated by reason, he allows “so much liberty” for people to pursue the means to “live delightfully” in secure conditions away from the “war of all against all”. That is Hobbes’s fundamental premise for erecting the Leviathan.

The Consequence of the Hobbesian Critique on Rosenbloom’s argument

Rosenbloom speaks of the need to “balance” a relationship of “coexistence” between security and liberty – after having depicted them in the

earlier comment as being in “tension”. He does not address the issue of whether security and liberty spring from within the same source (the Constitution, for instance). Being in “tension” implies a dynamic between parts of a whole that are somehow connected, and not independent as “co-existence” implies. “Balancing” in turn implies striking some sort of compromise. For Hobbes both security and liberty stem from the same whole.

To be fair to Rosenbloom, addressing the issue raised above was not within the scope of what he set out to accomplish in his Introduction to the Symposium. As a coordinating editor of the Symposium, his very short Introduction merely attempted to set the stage for the discussion. He begins his argument stating that public servants are on the front lines in dealing with the tension between security and liberty. He does not argue whether the tension is real or where this tension stems from. He merely assumes it and tries to place it in a historical context.

Michael Spicer on Security and Liberty

Michael Spicer (2002) examines how a time of war can alter the conduct of governance and administration. Drawing on the ideas of Michael Oakeshott, the well-known Hobbes commentator (See Chapter II & Chapter III), Spicer lays out different understandings or visions of the state. Depending on the different visions that people may have, which are reflective of what they expect from the state, they may also differ over how they understand actions of other individuals and the actions of their government. He argues that America’s political and Constitutional traditions reflect the idea of the American state as a civil

association (as opposed to a purposive association). Spicer lays out the characteristics of the state, each in terms of form and content. As a civil association, a state is:

“...a state in which men and women understand themselves as essentially free to pursue their own particular interests and values, but as, nonetheless, bound together by their recognition or acknowledgement of certain rules of conduct that limit their individual spheres of action.... The purpose of these rules of conduct.....is solely to define the parameters by which individuals act and interact with each other as they pursue their own particular interests or purposes, either alone or in concert with others who happen to share their particular interests or purposes....(2002, p. 64).

On the other hand, the state as a purposive association has the following characteristics:

“...is one in which individuals recognize themselves as specifically bound together for the joint pursuit of some particular set of common substantive purposes or for the achievement of a particular set of outcomes.... (p. 64).

Clearly, these two visions of the state support very different kinds of governments and corresponding governmental roles. In a state based on a vision of a civil association, governmental action is only to protect and enforce the rules of conduct that govern individual actions and interactions with others within a legal system. Oakeshott refers to that role as the “umpire who administers the rules” (quoted in Spicer, 2002, p. 64), rather than as the manager who directs actions and interactions towards some substantive end.

By contrast, a purposive association-type government would undertake the necessary actions to achieve common substantive ends and would direct the

actions of individuals within the society, and use governmental resources towards the attainment of those ends (the common good). The state becomes an “estate” that can be managed to achieve predetermined ends.

No state is purely one form or the other but must be comprehended in terms of the tension between the two divergent understandings of the role of the state. This ambivalence is particularly heightened in a time of war.

Spicer argues that while America’s constitutional system of government was designed to allow some latitude for purposive governmental action, a strong argument can be made that it conforms more closely to the vision of the state as a civil association. While the Constitution lays out certain specific objectives (ensuring domestic tranquility, establishing justice, promoting the general welfare, secure the blessings of liberty, etc.), it leaves it up to the individuals acting alone or in concert with others to pursue their own interests and pursuits. This vision by the founding fathers is evident by their insistence on limiting the power of the government to affect the actions and interactions of individuals in society. The Constitution provides the “rules of the game” and government should be a “non-participating umpire”.

Spicer writes:

“Consistent with the idea of civil association, Madison sought to develop rules that would limit the harm individuals could do to each other, even as they pursued their substantive ends through government. (p. 65)

Again, we hear an echo from Hobbes:

“And Law was brought into the world for nothing else, but to limit the naturall liberty of particular men, in such manner, as they might

not hurt, but assist one another, and joyn together against a common Enemy. (Chapter 26, p. 315)

In a time of war, even states with a strong tradition of civil association will begin to move towards a more purposive association mode of thought and action.

As Oakeshott writes:

“In war itself, the latent or not so latent ingredient of managerial lordship in the office of government of the modern state comes decisively to the surface and is magnified and what had hitherto been no more than contrivances for collecting revenue, for safeguarding the sources of revenue, or for maintaining civil order become devices for controlling the use of resources and for removing substantive choice from the conduct of subjects. (Quoted in Spicer, 2002, p. 65)

Indeed, in a time of war, the state becomes the mechanism by which the resources and apparatus of the government and the resources of individuals in society, are directed and guided towards the defeat or destruction of a real or perceived enemy. The planning, organizing, staffing, directing, coordinating, reporting, and budgeting (POSDCORB) become the managerial functions of the government. The state becomes more of a “manager” of an estate, than a “non-participating umpire” who enforces the rules.

The effects of a sustained war effort is that the changes made to the character of government in such periods spillover and endure even in times of peace.

Oakeshott writes:

“What is learned in war is remembered when hostilities subside. (Quoted in Spicer, 2002, p. 66)

In a war, such as the “War against Terrorism”, which is bound to be protracted and perhaps even multi-generational, one inevitable consequence is that the very idea of a civil association ideal of the state becomes weaker and perhaps more remote with the passage of time. Even though the attenuation of an ideal is an abstract or esoteric idea, it has very real and detrimental consequences.

Firstly, within a purposive association model, citizens are reduced to role performers, agents and instruments that contribute to the accomplishments of the state towards substantive ends. The broad individual choices towards individual means and ends that a civil association allows for, are curtailed to mere instrumental choices as to how each citizen can better serve to accomplish the substantive ends ordained by the state, in a purposive association model. The only questions that are allowed to be asked are teleocratic in nature – what is the most efficient and effective way to accomplish an end? Only the means can be debated, while disallowing debate about the substantive ends that are being pursued. This leads to the possibility of having only ‘scientific’ and ‘technological’ solutions to fix political problems.

Secondly, a purposive association model of government does not leave room for the idea of pluralism in society. It assumes that there is an overall purpose or (non-conflicting) purposes to government that is acknowledged by every member of society. It implicitly assumes that every member of the society legitimizes the purpose(s) of the government. But in contemporary America, we are nothing if not pluralistic. We engage our differences of values and ideals. We

embrace the ideas of diversity of thought and individual choice. And we are skeptical of a movement that may constrict the range of values that are “acceptable”. And yet, in a time of war, in a purposive association model of government, there is an inevitable movement towards narrowing the kinds of values and ideas that are brought to bear in formulating and implementing public policy.

And finally, another implication of a shift towards a purposive model of government in a time of war, is that the founders’ notion of a limited government recedes to the background in favor of a strong, efficient government that may exercise virtually unlimited power over its citizens. Such exercise of power by the government goes unchecked and culminates inevitably in the concentration of power in a few hands. When that happens it becomes easy for government, in a time of war, to justify such concentration of power as essential for the efficient and effective implementation of public policy, especially in arena of defense of the country.

Spicer (2002) makes a cogent argument that in a time of war, as we move toward a more purposive association idea of government, we run the risk of losing something valuable within the practice of civil association: pluralism and limited government. He cautions that the war on terrorism is already beginning to have implications on the character of our current discourse in politics. We tend to frame debates about even traditionally domestic public policy issues in terms of the war on terrorism – energy policy, immigration issues, the war on drugs, banking and finance reform, etc. He warns that fear and insecurity in a time of

war, allows for political factions to advance their own interests by pushing their own political agenda drawing on a need for a sense of cohesion on the part of the citizenry and their expectation that the government will undertake strong decisive action to keep them safe. In such a political milieu, there is always the temptation to disregard foundational constitutional principles in the pursuit of security at all costs.

Hobbes on Spicer's Argument

In the Hobbesian commonwealth, subjects authorize a sovereign with an unlimited right to command for the purpose of the preservation of the peace - the *raison d'être* of erecting the sovereign.

In *De Cive* he writes:

“Now all the duties of rulers are contained in this one sentence, the safety of the people is the supreme law (Chapter 13, p. 258).

In *Leviathan*, he writes:

“ The Office of the Sovereign, (be it a Monarch or an assembly,) consisteth in the end, for which he was trusted with the Sovereign Power, namely the procuration of the safety of the people (Chapter 30, p. 376).

When Hobbes wrote about safety, he explained it in broad terms. In *De Cive*, he writes:

“ But by safety must be understood, not the sole preservation of life in what condition soever, but in order to its happiness. For this end did men freely assemble themselves and institute a government, that they might, as much as their human condition could afford, live delightfully (Chapter 13, p. 259).

Hobbes then goes on to list the four distinct conditions for happiness derived from this broad notion of safety. He writes:

“The benefits of subjects, respecting this life only, may be distributed into four kinds. 1. That they be defended against foreign enemies. 2. That peace is preserved at home. 3. That they be enriched, as much as may be consist with public security. 4. That they enjoy a harmless liberty (Chapter 13, p. 260)

In *Leviathan*, he writes:

“...But by Safety here, is not meant a bare preservation, but also all other contentments of life, which every man by lawfull industry, without danger, or hurt to the Common-wealth, shall acquire to himselfe. (Chapter 30, p. 376)

He held that every man without hurting others or the commonwealth could work to acquire what he can. Further, he expected the commonwealth to provide a positive framework whereby these activities might be pursued.

“...there ought to be such lawes, as may encourage all manner of Arts; as Navigation, Agriculture, Fishing, and all manner of Manufacture that requires labour.. (Chapter 30, p. 387)

Also, Hobbes allowed subjects to hold “harmless liberty” in the pursuit of their individual “contentments of life”. He allows for liberty where the law is silent.

In *Leviathan* he writes:

“ As for other Liberties, they depend on the silence of the Law. In cases, where the sovereign has prescribed no rule, there the Subject hath the liberty to do, or forbear, according to his own discretion. (Chapter 21, p. 271)

He goes on to advise the Sovereign against unnecessary laws:

“For the use of Lawes, (which are but rules Authorised) is not to bind the People from all Voluntary actions; but to direct and keep them in such motion, as not to hurt themselves..... And therefore a Law that is not Needfull, having not the true End of a Law is not

Good. A Law may be conceived to be Good, when it for the benefit of the Sovereign; though it be not necessary for the People; but it is not so. For the good of the Sovereign and People, cannot be separated.... Unnecessary Lawes are not good Lawes; but trapps for Mony: which where the right of Sovereign Power is acknowledged, are superfluous; and where it is not acknowledged, insufficient to defend the People. (Chapter 30, p. 388)

To me the quotation suggests that Hobbes envisioned the subjects in the commonwealth as being free to choose how to live (provided they did not harm other subjects, or undermined or threatened the sovereign). That is consistent with a civil association, though he did not exclude purposive action.

There is further proof that Hobbes envisioned the commonwealth to be more consistent with Oakeshott's characterization of a civil association in Macpherson's (1968) argument. He argued that Hobbes's design of the commonwealth secured the conditions by which individuals could compete and acquire within an overall framework of peace. As we saw earlier, individuals enter civil society not for any peace, but for the peace that allowed for "commodious living" and the "contentments of life". For those conditions of peace to be secured, individuals were obligated to obey the laws of the sovereign. The price that individuals pay in obeying the sovereign's laws is not too high to secure the conditions for them to pursue the "contentments of life". Macpherson compares that arrangement to a "long-term contract a business man could be expected to understand and to enter into with a view to his own advantage" (p. 53).

By extension of that argument, it appears that Hobbes was among the earliest to envision civil society as allowing for a marketplace where goods and

services could be exchanged freely. Macpherson says that Hobbes, even though he was a mercantilist simply by virtue of when he lived, assumed a capitalist economic model. For instance, he assumes that labor is a commodity (which is a defining feature of capitalism). He also assumes that the value of anything (including the worth of a man – see *Leviathan*, Chapter 10, p.151) is determined by how much one is willing to pay for it. He accepted market forces as a fact. I think one can make a reasonable case that Hobbes may be considered to be a proto-capitalist. A capitalistic market-driven society is more consistent with a civil association than with a purposive association.

A final argument that may be made to support the idea that Hobbes envisioned a civil association as opposed to a purposive association is that in a Hobbesian civil society, the sovereign's *raison d'être* is the preservation of the peace. That is the sole reason why people are willing to give up unlimited, unbridled liberty in the state of nature and enter civil society by laying down their "right to everything" and entering a covenant with each other to obey the sovereign. The laws that the sovereign institutes are for the singular, overarching purpose of keeping the peace.

"For the use of Lawes, (which are but Rules Authorised) is not to bind the People from all Voluntary actions; but to direct and keep them in such a motion, as not to hurt themselves..... (p. 388)

As shown earlier, Hobbes allowed for subjects to hold "harmless liberty" so that they may pursue the "contentments of life". The pursuit of these "contentments of life" is the sole responsibility of the individual subject to choose

the means by which they may achieve these ends, while the means of the preservation of peace is the sole responsibility of the sovereign. That was the grand vision of a Hobbesian civil society.

That is why I conclude that Hobbes's vision of the commonwealth would align more closely with Oakeshott's and Spicer's characterization of a civil association.

The Consequence of the Hobbesian Critique on Spicer's argument

It is my contention that Hobbes's vision of the commonwealth is consistent with Oakeshott's and Spicer's vision of a civil association rather than a purposive association. Hobbes allowed for people to pursue their own interests and values while acknowledging the "rules of the game". The sovereign is an umpire, albeit a very powerful one.

In my opinion, it is not surprising that Spicer's argument is consistent with a Hobbesian vision, because he drew from Oakeshott, a renowned Hobbes interpreter. Clearly, Oakeshott recognized the "single passionate thought that pervades" all the parts of Hobbes's analysis (Oakeshott, 1966, p. xix). The supreme law for the sovereign is to keep the peace. When the subjects have security, the rest of their lives begin. Subjects have a right to pursue the ends according to their needs and abilities to secure the means to satisfy those needs. That is consistent with a civil association.

Where Spicer moves away from a Hobbesian position is when he refers to "...in times of limited wars, such as we are apparently engaged in..." (p. 67), and to "new and dangerous challenges" (p. 68). For Hobbes, the time of war is not

limited to the period of combat and aggression, rather it consists also of the “inclination thereto”. As shown earlier (in Chapter II), he uses the analogy of the weather to explain the permanent character of war.

“..... in that condition which is called Warre; and such a Warre, as is of every man, against every man. ... the notion of *Time*, is to be considered in the nature of Warre; as it is in the nature of Weather. For as the nature of Foule weather, lyeth not in a showre or two of rain; but in an inclination thereto, of many days together: So the nature of War, consisteth not in actuall fighting; but in the known disposition thereto, during all the time there is no assurance to the contrary. All other time is PEACE. (Chapter 13, p. 185-6).

If we are to accept this characterization of war, then the challenges that we face are not new. We simply did not discuss them in our conversations. Now, having been rudely awoken, we are forced to address these challenges.

Lisa Nelson on Security and Liberty

In the Symposium 2002 Special Issue of *Public Administration Review* entitled “Public Administration and Civil Liberties”, besides Spicer, the only other scholar who explicitly looked back to the philosophical foundations of our debate on security versus liberty was Lisa Nelson. She calls us to look back to John Locke and John Stewart Mill to resolve the tension between individual privacy (an individual liberty) and the common good (in this case, security). Though these philosophers did not explicitly write about issues of privacy, she argues that they conceive of it as lying in the “in the penumbras of liberal toleration” (2002, p. 72). She writes that these liberal thinkers thought of privacy as a logical extension to the ideal of toleration, which stems from their sense of ambivalence for the “good life”. To Locke, the role of the government is to provide protection to the

individuals in a civil society from external danger - but does not have role to play with an individual's belief system. Locke, a protestant Christian, believed that the state had to stay out a person's belief system because that was private and a matter of personal belief. For Locke, a person could have a "good life" by practicing the teaching of Christ in a personal manner. That is where he sees a realm of privacy for the individual outside of the purview of the state. The "good life" was to found only in private by faith. The role of the state was restricted to the external protection of those in civil society against common enemies and to prevent harm for others in society.

For Mill, government toleration should extend to all activities that do not harm another in society.

"That the sole end for which mankind is warranted, individually or collectively, in interfering with the liberty of action of any of their number, is self-protection. That the only purpose for which power can be rightfully exercised over any member of a civilized community, against the will, is to prevent harm to others. (Quoted in Nelson, 2002, p. 72)

Nelson argues that Mill's position on privacy stems from his belief that there is no notion of the "good life" that is either knowable or constant. Therefore, freedom of individual's opinions and ideas should consist of a free exchange and that is how a true tolerant citizenry will emerge.

In the light of the thoughts of these liberal thinkers then, "privacy is the positive protection of toleration"(p. 72). A government whose primary function is the protection of individual safety and property, as opposed to promoting a particular vision of the common good, must tolerate diverse individual behavior

as long as it does not cause harm to another in society. Nelson concludes that liberals from Locke, Mill, Hume down to John Rawls and Robert Nozick are unanimous in promoting privacy as key characteristics of a liberal modern state. To her, the legal framework that provided for privacy of the individual as long as he did not harm another has a long tradition in jurisprudence. But, the events of September 11 may provide an opportunity for those who wish to recalibrate that balance. The necessity of surveillance and information gathering as part of public policy debates is now well known. The government is developing new, more invasive technology as part of an arsenal of necessary tools in the war against terror. But because we are afraid, have we uncritically embraced such technology without due consideration of whether we are abandoning basic notions of privacy?

Lisa Nelson's main conclusion is that after September 11, newer and more invasive technology is being viewed as assisting in the common good of fighting terrorism (as reflected in the USA PATRIOT Act and other legislation), rather than being potentially dangerous as a threat to individual privacy. She argues that the rhetoric of public policy encourages us to believe that the purpose of serving the common good (fight against terrorism) requires acquiescence to technological invasions of privacy – which may be inconsistent with the philosophical and legal framework of American democracy.

What would Hobbes have had to say about the government's ability to use new technology (invasive to individual privacy, as it may be) as a means towards ensuring greater security, as argued by Lisa Nelson?

Hobbes on Nelson's Argument

Obviously, Hobbes did not write about new technological advances, as we understand it today. Nor did he write explicitly about privacy – though he held for some residual natural liberty for the subjects (Goldsmith, 1989). Privacy is a part of that residual natural liberty. Subjects lay down their liberties *only* in accordance with the law because the silence of the law is the greatest source of liberty. As we have seen:

“For seeing there is no Common-wealth in the world, wherein there be Rules enough set down, for the regulating of all the actions, and words of men, (as being a thing impossible:) it followeth necessarily, that in all kinds of actions, by the laws praetermitted, men have the Liberty, of doing what their own reasons shall suggest, for the most profitable to themselves..... The Liberty of a subject, lyeth therefore only in those things, which in regulating their actions, the sovereign have praetermitted.... (Chapter 21, p. 264)

Hobbes goes on to argue that just as the absence of all restriction would dissipate society as stream or lake without banks, so would excessive restrictions and laws stagnate society and make the subjects “dull and unwieldy”. So, subjects were to be allowed much harmless liberty.

Moreover, Hobbes advises the sovereign to have laws that were few and clear and institute only “necessary” laws.

“For the use of Lawes, (which are but Rules Authorised) is not to bind the People from all Voluntary actions; but to direct and keep them in such a motion, as not to hurt themselves..... Unnecessary Lawes are not good Lawes; but trapps for Mony; which where the right of Sovereign power is acknowledged, are superfluous; and where it is not acknowledged, insufficient to defend the people. (Chapter 30, p. 388)

Again, later in the passage, Hobbes articulates that the office of the Sovereign was to, through passing appropriate and clear laws, provide peace and security to the people.

The sovereign operates in the state of nature and is not subject to any contract. The supreme law for the sovereign is to keep the peace. It is the subjects that authorize the sovereign to act on their behalf and are themselves “the authors” of all his actions.

“.....because every subject is author of all the actions and judgments of the sovereign instituted; it follows that whatsoever he doth, it can be no injury to any of his subjects; nor ought he to be by any of them accused of injustice. For he that doth anything by authority from another, doth therein no injury to him by whose authority he acteth: by this institution of a commonwealth, every particular man is author of all the sovereign doth: and consequently he that complaineth of injury from his sovereign, complaineth of what whereof he himself is author; (Chapter 18, p. 232).

Hobbes does not rule out the possibility that a sovereign, through his actions and judgments may render some subjects unhappy. But he addresses that issue:

“ [living under someone with unlimited power]...A man may object that the Condition of subjects is very miserable;.....Man can never be without some incommodity or other: and that the greatest, that in any forme of government can possibly happen to the people in generall, is scarce sensible, in respect to the miseries, and horrible calamities, that accompany a Civill Warre; (chapter 19, p. 238, parentheses mine)

Finally, in no uncertain terms, Hobbes writes:

“And because the End of this Institution, is the Peace and Defence of them all;..... it belongeth of Right, to whatsoever Man, or Assembly that hath the Sovereignty, to be Judge both of the meanes of Peace and Defence; and also of the hindrances, and disturbances of the same; and to do whatsoever he shall think

necessary to be done... for the preserving of Peace and Security,
by prevention of discord at home and Hostility from abroad;
(Chapter 18. p. 232-3)

Clearly, Hobbes's greatest fear was the insecurity of war. Some "incommodity" was inevitable in authorizing an absolute sovereign to avoid the terrifying consequences of war. If the sovereign power, for whatever reason, did not ensure peace, there is no reason to enter civil society. Without security, the state of nature of was preferable because it allowed a right to everything.

The Consequence of the Hobbesian Critique on Nelson's Argument

One consequence of using Hobbes in critiquing Lisa Nelson argument is that Hobbes brings to the fore the issue of security. It is the fundamental reason why people enter a social contract to live in a civil society.

While she is right to make the point to new technology has the potential to be a threat to individual privacy, she does not see the right to privacy as a product of a secure world. She begins her analysis of understanding privacy in a framework of the ideal of toleration (from Locke and Mill) and the search for the "good life".

But toleration allows for the possibility for individuals to find their own path to the "good life". But it is security that *precedes* toleration. In the state of nature (insecurity), there is no room for toleration - Every man has a right to every thing, even to the body of another. And that state of war of every man against every man is perpetual unless they enter civil society for the sake of security and renounce the right to everything. So, the ideal of toleration and the search for the

“good life” are made possible in one’s mind only if one is assured that nobody is standing behind them looking to kill or maim them.

Nelson goes on to argue that the rhetoric of common good (in this case, security) has become more powerful since September 11th. She feels that such rhetoric is now more persuasive than in the time prior to September 11th. She is right only in the narrow sense - we seem to pay more attention to it now than we did before that fateful day.

But in a fundamental sense, Hobbes would have pointed out that security is the very basis for establishing the commonwealth. In *Leviathan*, the sovereign was made immensely powerful for the protection of the subjects against attacks from each other and from foreign enemies. The Hobbesian sovereign had the authority to choose the means by which peace and security were maintained (Chapter 18, p. 232-3). Further, as we have seen, all the actions of the sovereign are authorized by the subjects because the subjects are the “authors” of all the sovereign’s actions (Chapter 18, p. 232).

Lisa Nelson, in her analysis, does not acknowledge this aspect. She assumes that actions that the government takes with regard to incursions into individual privacy happen independent of any authorization from citizens when they enter into civil society. She assumes a certain distance between the actions of the government and the social contract that citizens entered into, to live in a safe civil society.

In her conclusions, she writes that liberal philosophers are unanimous in promoting a right to privacy, while maintaining that the state must protect the

citizens from harm. She concludes that the “new rhetoric” of common good (in a post September 11th world) may be inconsistent with the philosophical and legal framework of a liberal democracy like American democracy.

I would argue that if she was sensitive to Hobbes’s position, she might have been able to better understand her assumptions and explain them more fully. In summary, she might not have been as quick to assume that the “new rhetoric” is new. It precedes even Locke and Mill. Namely in Hobbes.

Jon Gould on Security and Liberty

Jon Gould (2002) writes:

“The stepped-up security following September 11th has widened the distance between citizen and government, potentially dampening citizen participation in government and with it reducing citizens’ trust in public institutions and officials.... When citizens feel disconnected from their government, they are far less likely to participate in any type of political activity –including voting- and diminished trust in turn, strikes a blow at the underlying legitimacy of government institutions and public officials (2002, p. 77-8)

Gould implies that there is the potential that the government institutions will become weaker when citizens distance themselves from the government and in turn, citizens become weaker as a consequence of their disconnection from government. He cites the swift legislative response to the events of September 11, namely the USA PATRIOT Act as indication that the government has raised the level of domestic intelligence gathering capability to an unprecedented level thereby decreasing the level of trust and increasing the gap between the government and the citizenry. He argues that such measures, though there was substantial initial support, will over time, inevitably lead the public to distrust their

own government and be unwilling to support any future measures that may be necessary to assure security.

He writes that ultimately we all accept a “steep risk” (p. 78) in accepting the differences between those on the inside of government and the public who is on the outside and who are subject to the machinations of government. The public then becomes “ministered to” and does not participate in government leading to a greater distrust and alienation from the state. The government depends, according to Gould, on the good will and support of the people to public officials. A weaker or more distant public does not bode well for the state.

Hobbes on Gould's Argument

Hobbes thought about that issue. He recognized that the sovereign's strength lies in the strength and vitality of the subjects.

“ Sovereign Governours, proceedeth not from..... dammage, or weakening of their subjects, in whose vigor, consisteth their own strength and glory; but in the restiveness of themselves, that unwillingly contributing to their own defence, make it necessary for their Governours to draw from them what they can in time of peace.. (Chapter 19, p. 238)

Hobbes is consistent in advising the sovereign to pass laws that allow for “commodious living”. In chapter 30 of Leviathan, he draws out a role for the sovereign to play in the development of the lives of the subjects. Hobbes expected the state to more than provide a framework in which subjects could pursue their desires about buying and selling and contracting with one another, or even choosing where they may live, educate their children and “the like”.

Rather he expected the state to secure the “contentments of life” by promoting the “arts” of navigation, agriculture, etc.

“...there ought to be such lawes, as may encourage all manner of Arts; as Navigation, Agriculture, Fishing, and all manner of Manufacture that requires labour.. (Chapter 30, p. 387)

He goes further to include public charity to those who are unable to maintain themselves by their own labor.

“ And whereas many men, by accident unevitable, become unable to maintain themselves by their labour; they ought not to be left to the Charity of private persons; but to be provided for, (as far-forth as the necessities of Nature require,) by the Lawes of the Commonwealth. For as it is Uncharitableness in any man, to neglect the impotent; so it is in the Sovereign of the Common-wealth, to expose them to the hazard of such uncertain Charity. (Chapter 30, p. 387)

Clearly, Hobbes envisioned a state where the “incommodities” of life should be minimized as far as possible to ensure that subjects are strong and can unite in a time of war to face an external enemy.

The Consequence of the Hobbesian Critique on Gould’s Argument

Again, as we saw earlier, Hobbes reasoned that the primary rationale for the existence of the sovereign state is the protection of the people. Without that rationale, people would prefer the state of nature because it allowed them unfettered freedom and liberty. In a civil society, the sovereign is given unlimited political capital to do whatever is necessary to keep the people safe. The people assign that political capital to the sovereign when they enter civil society driven by a categorical fear of an untimely and violent death.

As previously stated, Hobbes envisioned a commonwealth where people pursued their interests according to their own means and ends within the

confines of a safe civil society. He argued that the strength of the sovereign is tied to the strength of the subjects. However, the sovereign was authorized (by the subjects themselves) to undertake any necessary action to protect them. If the subject believed that these actions negated the very reasons why he entered the commonwealth, then the subject would resist the sovereign's actions. But, on the other hand, if the actions of the sovereign did not threaten the very reason why the subject entered into the commonwealth, then dictated by reason, the subject would not resist because resistance could have two have terrible consequences. In the first instance, resistance to the sovereign will results in punishments. In the second instance, resistance to the sovereign undermines the commonwealth and could result in its dissolution pitting the subject back in the state of nature. Both of these consequences are unacceptable to the subject. So, unless the subject's life or body, are threatened by the actions of the sovereign, reason dictates that the subject will not resist.

Though Gould does not suggest that citizens would rise in rebellion against a government that they see as distant from them, he nonetheless warns against actions that cause the distance between the citizens and their public officials to be accentuated and "strike a blow to the legitimacy of government institutions and public officials" (p. 78).

Hobbes might argue that the real blow to the legitimacy of the state came because the government was unable to keep the people safe that morning on September 11th.

Melvin Dubnick on Security and Liberty

Melvin Dubnick (2002) writes about a new narrative – the state of war narrative. He argues that the state of war narrative, because it was unfamiliar to us prior to September 11th, creates some confusion as it provides a new context for determining expectations and guiding the actions of government agents and agencies. He calls for a coherent “Post-September 11th narrative” (p. 86) to help orient those in the field. He writes:

“The adoption of a state of war narrative has equally significant implications for those who would conduct the government’s business under wartime conditions..... Declaring war on terrorists and their supporters, however, triggered the need to adjust to very different narratives that generate unfamiliar environments of expectations for both military and civilian administrators, and thus have the potential to create confusion and conflict. (2002, p. 86)

Dubnick writes of the “adoption of a war narrative” thereby negating the possibility of its permanence. He thinks of terror as an anomaly breaking into a normalcy of peace. Hence, the “potential to create confusion and conflict”.

Hobbes on Dubnick’s Argument

Hobbes who, had a deep appreciation of war, writes about the permanent character of war. He does not see war as an anomaly.

“..... in that condition which is called Warre; and such a Warre, as is of every man, against every man. ... the notion of *Time*, is to be considered in the nature of Warre; as it is in the nature of Weather. For as the nature of Foule weather, lyeth not in a showre or two of rain; but in an inclination thereto, of many days together: So the nature of War, consisteth not in actuall fighting; but in the known disposition thereto, during all the time there is no assurance to the contrary. All other time is PEACE. (Chapter 13, p. 185-6)

If we accept for a moment Hobbes's analogy to weather, we may conclude since there is never an absence of "an inclination thereto" in regard to rain/war, there is then some justification for using the rhetoric of war.

Since Hobbes understood the permanent nature of the "inclination thereto" of war, he sought to understand its foundational causes. For Hobbes, the penchant for war is in-built passions – specifically the undying desire for more power.

He wrote:

"So that in the first place, I put for a generall inclination of all mankind, a perpetuall and restless desire of Power after power, that ceaseth onely in Death. And the cause of this, is not always that a man hopes for a more intensive delight, than he has already attained to; or that he cannot be content with a moderate power: but because he cannot assure the power and means to live well, which he hath present, without the acquisition of more.... Competition of Riches, Honour, Command, or other power enclineth to Contention, Enmity, and War: Because the way of one Competitor, to the attaining of his desire, is to kill, subdue, supplant, or repell the other (Chapter 11, p. 161).

And,

"The Power of a Man, (to take it Universally,) is his present means, to obtain some future Good. (Chapter 10, p. 150, parentheses in original)

For Hobbes, it is the natural inclination for an endless struggle for power after power that explains the foundational cause of war. It is about the lack of *assurance* to the power needed to have "the means to live well", in the future.

The Consequence of the Hobbesian Critique on Dubnick's argument

As we saw earlier with Rosenbloom and Nelson, Dubnick assumes that the war narrative is new. He is right in one sense – we are now talking about it.

But Hobbes had written about the perpetual nature of the inclination to war. He developed a thorough understanding of its causes and consequential actions. An understanding of this permanent nature of war, might have aided Dubnick in refining his arguments in examining the operational demands and the cultural commitments that entail a time of insecurity and war.

Further, as Richard Leone (2003) argues, deeper inquiries in the causes of terrorism has received only “limited attention” (p. 5). I suggest that Hobbes provides us one way of thinking about that subject.

Hobbes in Future Discourse in Public Administration

Writing in the midst of a civil war, it is clear that Hobbes was obsessed with the issue of security. That was the primary concern of his day. In both *Leviathan* and *De Cive*, he makes a strong argument for a powerful sovereign for the sole purpose of “the safety of the people”. In the Hobbesian commonwealth, subjects authorize a sovereign with an unlimited right to command for the purpose of the preservation of the peace - the *raison d’être* of erecting the sovereign.

In *De Cive* he writes:

“Now all the duties of rulers are contained in this one sentence, the safety of the people is the supreme law (Chapter 13, p. 258).

In *Leviathan*, he writes:

“ The Office of the Sovereign, (be it a Monarch or an assembly,) consisteth in the end, for which he was trusted with the Sovereign Power, namely the procuration of the safety of the people (Chapter 30, p. 376).

When Hobbes wrote about safety, he explained it in broad terms. In *De*

Cive, he writes:

“ But by safety must be understood, not the sole preservation of life in what condition soever, but in order to its happiness. For this end did men freely assemble themselves and institute a government, that they might, as much as their human condition could afford, live delightfully (Chapter 13, p. 259).

Hobbes then goes on to list the four distinct conditions for happiness

derived from this broad notion of safety. He writes:

“The benefits of subjects, respecting this life only, may be distributed into four kinds. 1. That they be defended against foreign enemies. 2. That peace is preserved at home. 3. That they be enriched, as much as may be consist with public security. 4. That they enjoy a harmless liberty (Chapter 13, p. 260)

In *Leviathan*, he writes:

“...But by Safety here, is not meant a bare preservation, but also all other contentments of life, which every man by lawfull industry, without danger, or hurt to the Common-wealth, shall acquire to himselfe. (Chapter 30, p. 376)

As can be seen, while security is a prominent concern, he did not make a sharp distinction *between* security and liberty. To him, they were two sides of the same coin. One was meaningless without the other. Reason, which drives people to enter into a commonwealth, will also dictate how they live in the commonwealth. He did not blind himself to the issue of liberties for the subject, but allowing subjects to pursue “the contentments of life” and the ability to “live delightfully”.

As we saw earlier (in Chapter III of this dissertation), Hobbes’s had a nuanced position on the balance between security and liberty. Though he did not

write explicitly about privacy, he dedicated a whole chapter (Chapter 21 of *Leviathan*) to the liberties of subject under a sovereign. In addition to that chapter, at various other portions of *Leviathan* and *De Cive*, he allowed for subjects to resist the laws and actions of the sovereign.

While it is true that Hobbes wrote *Leviathan* in the midst of a civil war and conceivably thought of security threats that emanate from such a setting, he also considered the possible that the sovereign could be a threat to an individual in the commonwealth. I believe that Hobbes was acutely aware of the darker side of absolute sovereign power. Had he not recognized it, he would not have found the necessity to expound on the self-preservation rights of individuals. He recognized that the state could be the instrument that could cause his greatest fear – a violent, untimely death. (Chapter III of this dissertation has a detailed analysis of a subject's right to resist sovereign power).

In my reading of Hobbes, I see that Hobbes's vision of the commonwealth found a rational consistency between keeping the peace *while* subjects held "harmless liberty".

The laws determine the boundaries of such liberty. In *Leviathan* he writes:

“ As for other Liberties, they depend on the silence of the Law. In cases, where the sovereign has prescribed no rule, there the Subject hath the liberty to do, or forbear, according to his own discretion. (Chapter 21, p. 271)

He goes on to advise the Sovereign against unnecessary laws.

“For the use of Lawes, (which are but rules Authorised) is not to bind the People from all Voluntary actions; but to direct and keep them in such motion, as not to hurt themselves..... And therefore a Law that is not Needfull, having not the true End of a Law is not

Good. A Law may be conceived to be Good, when it for the benefit of the Sovereign; though it be not necessary for the People; but it is not so. For the good of the Sovereign and People, cannot be separated.... Unnecessary Lawes are not good Lawes; but trapps for Mony: which where the right of Sovereign Power is acknowledged, are superfluous; and where it is not acknowledged, insufficient to defend the People. (Chapter 30, p. 388)

In simple terms but profound, Hobbes was advising the Sovereign to take the necessary steps to ensure for the security of the subjects (which is why they entered the commonwealth), and then to leave them alone to pursue their means to “live delightfully” and aspire to the “contentments of life”. Further, he expected the commonwealth to provide a positive framework whereby these activities might be pursued.

“...there ought to be such lawes, as may encourage all manner of Arts; as Navigation, Agriculture, Fishing, and all manner of Manufacture that requires labour.. (Chapter 30, p. 387)

He goes further to include public charity to those who are unable to maintain themselves by their own labor. He also advises the sovereign on matters of taxation, dispensation of justice, education and other practical matters of governance.

In his carefully worded conclusion to *Leviathan*, Hobbes writes:

“And thus I have brought to an end my Discourse of Civill and Ecclesiasticall Government, occasioned by the disorders of the present time, without partiality, without application, and without other designe, than to set before mens eyes the mutuall Relation between Protection and Obedience; of which the condition of Humane Nature.....require an inviolable observation. (Review and Conclusion, p. 728)

It is my final argument that Hobbes provides a cogent and sophisticated philosophical argument that provides a basis to understand security and liberty. As the Symposium in the 2002 Special Edition of *Public Administration Review* demonstrated, we tend to look back only as far back as Locke and the founding fathers for guidance to explore the philosophical underpinnings of American democracy in searching for a meaningful, coherent balance between security and liberty. However, an understanding of Hobbes on these matters forces us to confront and explain our explicit and (taken-for-granted) implicit assumptions – that there exists a natural tension between security and liberty, that we can “adopt a state of war narrative” and subsequently drop it when we believe to be living in a time of peace, overlooking the need for a deeper understanding of the struggle for power after power as a cause of war, etc.

While Hobbes may not provide us with a rulebook on how to resolve these matters, the vitality and rigor of his arguments cannot be ignored. As I have argued earlier, the fact that Hobbes developed a grand and overarching system of governance allows us to use it as a standard by which we may compare our own ideas and practices. As we debate and discuss issues of security and liberty, we tend to only look back to the Constitution, the founding fathers, the Bill of Rights, and perhaps to Lockean liberal thinkers for guidance on these issues. But that does not constitute a coherent system where the various parts of the architecture are internally consistent with other parts of the system. Rather, when we use diverse sources that are not part of a single system, we run the risk of picking up ideas that may sometimes conflict with and even negate each other.

Without an overarching framework within which to evaluate these scattered ideas from different sources, we may not fully grasp the inconsistencies and gaps in our thinking. In Hobbes, we find unity. The *Leviathan* is an exercise in finding the unity of political, moral and scientific wisdom (Herbert, 1989).

The challenge for scholars in public administration is to find a similar unity of wisdom within a coherent philosophic system. Hobbes is useful to us because he provides us a powerful argument that must be refuted if we do not accept his conclusions. I believe that in our search for cogent arguments to refute his system, we may find constructive positions that lead us to areas we have not explored so far. Further, at a very minimum, it affords us an opportunity to evaluate if we are living in a world that is closer to a harsher Hobbesian reality or, if we can afford to persist living with a Lockean view of reality that sees the world as “a more or less benevolent place and dangers, while present, are generally of only *minimal* importance” (Wells, 2004, p.233 Italics mine).

In my opinion, we can hardly miss the fact that we are all living in a new Hobbesian reality. September 11 “changed everything”. If we are in a protracted war, how can we continue to ignore the thoughts of the one great political philosopher who obsessed about security for most of his life?

In the next chapter, I will examine how Hobbes’s method of politics has influenced our thinking in public administration. For us to be able to accept his conclusions about political issues like security and liberty, it is important for us to examine the method of analysis that allowed him to reach those conclusions. It is to that examination that we turn to in Chapter V.

CHAPTER V

HOBBS AND PUBLIC ADMINISTRATION

Hobbes is not widely cited in Public Administration literature. Despite that fact, I will argue in this Chapter, that we can clearly trace his contributions on science and reason (in political matters) that have had an indelible influence in our ways of thinking. His influence in our field stems from his contributions to modern philosophy that in turn, spills into our discourse as we seek answers to social, economic and political questions. I will attempt to first summarize Hobbes's thinking as it relates to his faith in science and reason to answer political and philosophical questions. This section will include his views on materialism, empiricism, and nominalism. I will then demonstrate how these ideas still persist in our field. Finally, I will argue that we owe Hobbes an unpaid intellectual debt for his contributions to modern philosophy that have an influence in our ways of thinking in public administration.

Hobbes and the Science of Politics

Hobbes believed that he was the first philosopher to develop a civil science to explain the workings of a civil society. In the "Epistle Dedicatory" to *De Corpore*, Hobbes writes: "Civil philosophy is ...no older... than my own book *De Cive*" (1839-45, ix). He did this by designing a system (Goldsmith, 1966; Oakeshott, 1966). In the Preface to *De Cive*, he explains how he developed this

system by gathering elements of his thinking into three categories: (1) of the human body and its properties (*De Corpore*), (2) of man and his special faculties and affections (*De Homine*), and (3) of civil government and the duties of the sovereign and the subjects (*De Cive*).

Hobbes's penchant for scientific rigor be traced to his acquaintance with geometry. It wasn't until he was in his early forties that he discovered geometry probably during his meetings with Francis Bacon (around 1621-26). Prior to that time, he was seen primarily a classical scholar whose primary contribution were the translations of Thucydides, which was done primarily to warn his fellow citizens of the dangers of democracy. Though dissatisfied with the Aristotelian system of thought, he had been judged unable to offer a cogent alternative. Richard Peters (1962) argues that it was at the time that a civil war seemed inevitable, that Hobbes saw the possibility of using geometry as a method of attaining knowledge to demonstrate beyond doubt that his countrymen were in a dire predicament. Hobbes believed that the ills of a disintegrating society might be cured if he could provide a clear-cut rationale for a civil authority that might keep the peace. This is when he made his first forays into philosophy and reached his maturity as a philosopher (Peters, 1962).

Though the impetus to develop a rationale for a civil authority was political (his profound fear of a civil war and its consequences), he developed two main parts to this philosophy – optics and civil philosophy. The considerable feat was his originality in trying to weld these two aspects into one pursuit – a unified science. He attempted to find a unity in the answers that explain man (his

motions and faculties) and civil society (its causes and workings). The scope of his project was enormous. He set out to explain political institutions and their necessity, drawing from knowledge about the nature of man, which in turn is deduced from knowledge about the nature of the universe.

He understood that his science was not demonstrable as was expected of science in his day, but he made the argument that a coherent system of thought and scientific method will address that concern in *De Corpore*:

“When we calculate the magnitude and motions of heaven and earth, we do not ascend into heaven that we may divide it into parts, or measure the motions thereof, but we do it sitting still in our closets or in the dark (Chapter 7, p. 94)

The problem that haunted Hobbes was that, if one had the ability to sit in one's dark closet and picture the outside world, how can that picture be made a truthful representation of the outside world? That was at the heart of the genesis of his scientific method.

In the intellectual circles in England at that time, there was a strong emphasis on observation and data collection – the method of induction. Hobbes, however, subscribed to the rival method of deduction as practiced by Descartes, Spinoza and Galileo (Spragens, 1973). In Hobbes's view, the followers of the method of induction spent too much time on new devices and experimentation and too little time on deducing consequences from axiomatic theories – as was done in geometry. Hobbes was especially interested in the fundamental theory (espoused by Galileo) that motion was the natural condition of bodies in the

universe and that bodies once sent on their way would continue to be in motion unless impeded by other forces.

“When a Body is once in motion, it moveth (unless something else hinder it) eternally; and whatsoever hindreth it, cannot in an instant, but in time and by degrees quite extinguish it: (*Leviathan*, Chapter 1, p. 88)

He began to think about the consequences of this omnipresence of motion and explained even human reactions --sense, speech and thought -- in terms of motion. He writes in *Leviathan*:

“The cause of Sense, is the Externall Body, or Object, which presseth the organ proper to each sense, either immediately, as in the Tast and Touch; or mediately, as in Seeing, Hearing or Smelling; which pressure, by the mediation of Nerves, and others strings, and membranes of the body, continued inwards to the Brain, and Heart, causeth there a resistance, or counter-pressure, or endeavor of the heart, to deliver it self.... (Chapter 1, p. 85)

Further, he writes:

“All Fancies are Motions within us, reliques of those made in the Sense: And those motions that immediately succeeded one another in the sense, continue also together after Sense: In so much as the former coming again to take place, and be praedominant, the later followeth, by coherence of the matter moved, in such manner, as water upon a plain Table is drawn which way any one part of it is guided by the finger. (Chapter 4, p. 94)

This obsession with the mechanics of motion, coupled with his mature view of geometry, guided Hobbes's scientific thinking for the rest of his life and formed a basis of his thinking in explaining human nature and ultimately, his civil philosophy. Allow me to explain further and trace the connections.

Hobbes used motion, mechanics and solids (his materialist basis for science) as the source of human consciousness (Green, 1993). The mind forms images or conceptions, not from consciousness itself, but from the *action* of what lies outside that produces agitations and motions in the brain. This motion in the brain produces sense; imagination is a memory of that sense or a fading sense. Through such notions of motions in the brain, which then proceed to the heart, Hobbes explains delight and pleasure, on the one hand, and pain and hatred, on the other. When the motions proceed to the heart from the head, they are either accepted by the heart (it has a positive effect, in which case it is called appetite) or are resisted by the heart (it is negative, and is called aversion). So, the motions that cause the heart to feel positive (appetite) are desirable and humans will draw closer to it. On the other hand, the external motions which cause the heart to resist them (aversions) cause humans to retire away from them. That is how Hobbes explains appetites and aversions, their interplay, and the power they hold to solicit human action. He understands appetites and aversions as the prime mover of human action. This forms the bedrock of his conception of human nature. From his conception of human nature stems his civil philosophy (as outlined in detail in Chapter II of this dissertation).

We now return to Hobbes scientific method in developing his civil philosophy. It is to be noted that Hobbes did not make a clear distinction between science and philosophy (Priest, 1990). Both involve a system of reasoning. Oakeshott (1966) writes:

“It is, indeed, of the greatest importance, for Hobbes’s philosophy is, in all its parts, pre-eminently a philosophy of *power* precisely because philosophy is reasoning, reasoning the elucidation of mechanism and mechanism essentially the combination, the transfer and resolution of forces. The end of philosophy itself is power– *scientia propter potentiam*. (p. xxi, Italics in original).

Hobbes’s philosophy is the application of scientific method to the study of humans and politics. He writes about the scientific nature of that inquiry:

“By Philosophy, is understood the Knowledge acquired by Reasoning, from the manner of the Generation of any thing, to the properties, or from the properties, to some possible way of Generation of the same; to the end to bee able to produce, as far as matter, and humane force permit, such Effects, as humane life requireth. So, the Geometrician, from the Construction of figures, findeth our many properties thereof; and from the Properties, new ways of their construction, by reasoning. (Chapter 46, p. 682)

Earlier Hobbes writes:

“When a man reasoneth, hee does nothing else but conceive a summe totall, from *Addition* of parcels; or conceive a remainder from *Subtraction* of one summe from another: which (if it be done by Words), is conceiving of the consequences of the names of all the parts, to the name of the whole; or from the names of the whole and one part, to the name of the other part..... For REASON in this sense, is nothing but *reckoning* (that is Adding and Subtracting) of the Consequences of generall names agreed upon, for the *marking* and *signifying* of our thoughts; I say marking them, when we reckon by our selves; and signifying, when we demonstrate, or approve our reckoning to other men. (Chapter 5, p. 110-1, italics in original)

Here we understand that reasoning involves the imposing of names and understanding the connection between names (Nominalism). For Hobbes scientific knowledge requires clear definitions and names.

“Seeing then that truth consisteth in the right ordering of names in our affirmations, a man that seeketh precise truth, had need to remember what every name he uses stands for; and to place it accordingly; men begin settling the significations of their words;

which settling of significations, they call definitions; and place them in the beginning of their reckoning. (Leviathan, Chapter 4, p. 105)

The generation of this type of scientific knowledge demands drawing out rational and logical consequences from definitions. Using geometry as the model, Hobbes calls for a process whereby, the definition of a thing contains the instructions to generate that thing. For example, the definition of a square must contain information on how we may generate a square – it consists of four contained sides of equal length and four internal angles that are right angles. Such a definition allows us to draw a square based on information that is contained in the definition.

This may be achieved in two ways. We may begin with a phenomenon and then try to uncover its causes using reason, from the definitions from which it may be generated. Otherwise, we may begin with the definitions themselves and try to arrive at conclusions that are new.

The knowledge generated this way will be conditional, according to Hobbes. The knowledge reveals to us whether the definitions are correct. He writes of conditional knowledge as contrasted with real knowledge:

“ No Discourse whatsoever, can End in absolute knowledge of Fact, past, or to come. For, as for the knowledge of Fact, it is originally, Sense; and ever after, Memory. And the knowledge of consequence, which I have said before is called Science, it is not absolute but Conditionall. No man can know by Discourse, that this, or that, is, has been, or will be; which is to know absolutely: but onely, that if This be, That is; if This has been, That has been; if This shall be, That shall be; which is to know conditionally; and that not the consequence of one things to another; but of one name of a thing, to another name of the same thing. (Leviathan, Chapter 7, p. 131)

So, there are two steps to developing scientific knowledge: establishing correct definitions and then reaching logical conclusions from those correct definitions. He spells that out clearly in Chapter 5 of *Leviathan*:

“By this it appears that reason is not, as sense and memory, born with us; nor gotten by experience only, as prudence is; but attained by industry; first in apt imposing of Names; and secondly by getting a good and orderly Method in proceeding from the Elements, which are Names, to Assertions made by Connexion of one of them to another; and so to Syllogisms, which are the connexions of one assertion to another, till we come to a knowledge of all the consequences of names appertaining to the subject in hand; and that is it, men call SCIENCE. And whereas sense and memory are but knowledge of fact, which is a thing past, and irrevocable; *Science* is the knowledge of consequences, and dependance of one fact upon another: by which, out of that we can presently do, we know how to do something else when we will, or the like, another time; because when we see how any thing comes about, upon what causes, and by what manner; when the like causes come into our power, we see how to make it produce the like effects. (Chapter 5, p. 115, Italics in original)

So, according to Hobbes, every result in a science is conditional because the result rests on the accuracy of the definitions it employs. Hobbes did not write about what makes one name correct (“apt”) and another incorrect (“inapt”). We can presume that Hobbes took a practical stance on that question and would say that a definition is correct if it is able produce a certain (though conditional) consequence.

Having thus understood Hobbes’s clear emphasis on the importance of apt names and clear definitions in the generation of scientific knowledge (his nominalism) let us turn to two other aspects of his method in science – empiricism and materialism.

Hobbes is both an empiricist and a materialist (Priest, 1990; Gert, 1972; Oakeshott, 1966). By this I mean that he not only maintained that knowledge is acquired by experience but he also consistently based his philosophy on a materialist foundation – everything that exists is physical and composed of matter. The only exception to his materialist position is what he wrote about God – whom he refers to as “infinite and eternal”. But allow me to restrict our discussion to his discourse in civil philosophy.

Hobbes demonstrates his empiricism at the very beginning of the *Leviathan* in Chapter 1. He writes:

“ The Originall of them all, is that which we call Sense; (For there is no conception in a mans mind, which hath not at first, totally, or by parts, been begotten upon the organs of sense.) (Chapter 1, p. 85, parenthesis in original)

So, the origin of all thinking and knowing originates in the process of sensation. It is the experience a sensing creature feels of the external pressure (from an object or image) that pushes inward and the counter pressure outward that results in a sensation. The path taken by the pressure and the reaction determines the kind of sensation that occurs (Goldsmith, 1966, 2). Hobbes writes about how these sensations are felt.

“And this *seeming*, or *fancy*, is that which men call *Sense*; and consisteth, as to the Eye, in a *Light*, or *Colour* figured; To the Eare, in the *Sound*; To the Nostrill, in an *Odour*; To the tongue, and Palat, in a *Savour*; And to the rest of the body, in *Heat*, *Cold*, *Hardnesse*, *Softnesse*, and such other qualities, as we discern by *Feeling*. (Leviathan, Chapter 1, p. 86)

These natural operations in the minds of humans provide a kind of knowledge – experiential knowledge. This is not scientific knowledge because scientific knowledge requires reasoning (using language). And as we saw earlier,

“...reason is not, as sense and memory, born with us; nor gotten by experience only, as prudence is; but attained by industry...
(Chapter 5, p. 115)

While it is clear that Hobbes considered all conceptions to be “begotten upon the organs of sense”, he is quick to differentiate experiential knowledge (knowledge of fact) from scientific knowledge (conditional knowledge). He writes in Chapter 9 of *Leviathan*:

There are of KNOWLEDGE two kinds; whereof one is *Knowledge of fact*: the other *Knowledge of the Consequence of one Affirmation to another*. The former is nothing else, but sense and memory, and is *Absolute knowledge*; as when we see a fact doing, or remember it done: and this is the knowledge required in a witness. The latter is called *science*; and is conditionall; as when we know, that, *if the figure shown be a circle, then any straight line through the center shall divide it into two equal parts*. And this is the knowledge required in a philosopher; that is to say, of him that pretends to reasoning. (Chapter 9, p. 147-8, italics in original)

From the above discussion, it is clear that Hobbes believed all thought stems from sense-experience. This makes him an empiricist.

There is another aspect of Hobbes’s philosophy that should be considered in our discussion of his method – materialism. He believed that everything that exists is physical and is composed of matter.

“The World.....(that is, the whole masse of all things that are) is corporeall, that is to say, Body; and hath the dimensions of Magnitude, namely, Length, Breadth, and Depth; also every part of Body, is likewise Body, and hath the like dimensions, and

consequently every part of the Universe, is Body, and that which is not Body is no part of the Universe.... (Chapter 46, p. 689)

This is important to us because thoughts depend on physical objects.

They are representations of objects:

“ [Of Thoughts]...they are every one a *Representation* or *Apparence*, of some quality, or other Accident of a body without us: which is commonly caled an *Object*. Which Object worketh on the Eyes, Eares, and other parts of mans body; and by diversity of working, produceth diversity of Apparences. (Chapter 1, p. 85, Italics in original)

The relations of objects and thoughts run in two directions: the thought represents the object, while the object causes the thought (through sensation). In other words, physical objects cause sensations that in turn cause thought.

It is in this light that Priest (1990) concludes that Hobbes was able to produce a system where this empiricism and materialism were “mutually consistent” (p. 25). Hobbes explained the workings of the mind in terms of matter in motion in the brain (thoughts), as a response to physical objects that caused sensation on the body.

For our purposes, it is important to understand that Hobbes’s empiricism and materialism have implications for the way he thought about reasoning and science. As stated earlier, Hobbes believed:

“*Science* is the knowledge of consequences, and dependance of one fact upon another: by which, out of that we can presently do, we know how to do something else when we will, or the like, another time; because when we see how any thing comes about, upon what causes, and by what manner; when the like causes come into our power, we see how to make it produce the like effects. (Chapter 5, p. 115, Italics in original)

Science is not merely a memory of past consequences but relies on a knowledge of the dependencies of one fact upon another and their connection.

So, for Hobbes, science is conducted something like this:

1. Facts are known by observations (sense-experience)
2. These facts are remembered as facts by giving them 'apt names' (that are true representations of these facts).
3. Logical relations between these facts are made by using reason
4. Drawing conclusions about the connections between these diverse facts leads us to knowledge of consequences.

That is how we come to "...a knowledge of all the consequences of names appertaining to the subject in hand; and that is it, men call SCIENCE."

(Chapter 5, p.115).

For Hobbes, science is a combination of empirical and deductive methods. It is knowledge of causes and effects and knowledge of the logical consequences of assertions of facts. We may understand that science contains predictions because it is knowledge of consequences of facts and their relations one to the other. As we saw earlier, Hobbes's deductive method stems from the influence of geometry on his thinking. The axioms of geometry allow for one to proceed from "if this, then that" as a method of deducing consequences. He is very clear about the importance of using "apt" definitions that are placed at the "beginning of our reckoning" (p. 105). So, when we agree on definitions, we are, using reason, able to proceed from one consequence to another. For Hobbes, the generation of

scientific knowledge consists of drawing out logical and rational consequences from the definitions of things.

Hobbes's deductive method did not require experimental verification. Its veracity lies in fitting definitions and correct reasoning. "*Science* is the knowledge of consequences, and dependence of one fact upon another..." (p. 115). So, Hobbes's science is a *system* of reasoning that starts at "apt" definitions and proceeds, using reason and an orderly method, "till we come to a knowledge of all the consequences of names appertaining to the subject in hand..." (p. 115).

Using this notion of science, Hobbes begins to develop his civil science. He starts by understanding human nature (as we saw in Chapter II of this dissertation). By using science as a basis to understanding political life, Hobbes was among the earliest philosophers to contribute to modern ways of thinking about political issues. In the next section, I will argue that Hobbes's contribution has not been duly acknowledged in our field and demonstrate that we continue to use notions of science and reason that can be traced back to Hobbesian thought.

Science and Reason in Public Administration

Hobbes advanced a cogent argument for an empiricist view of knowledge. Along with other modern philosophers, Hobbes influence can still be seen in the practice of public administration.

Hobbes represents a starting point to understand modernity. Mark Roelofs (1976) argues that there are two pillars to modernity – the spirit of individualism and the bourgeois spirit. He credits Hobbes with being the earliest philosopher to develop a coherent argument about the bourgeois spirit and how it relates to

individual man. C.B. Macpherson (1969) would agree with that assessment as he considered Hobbes to be the progenitor of modern capitalism. By stripping away all the trappings of medieval thinking (i.e. divine rights of kings, obedience to bishops, or any other reference to theological sources of authority) from his philosophy, he laid out a rational and straightforward argument that explained the need for a strong civil authority that could keep the “people in awe”. He did not rely on tradition or other medieval ways of explaining society and its structure, instead using reason to develop a system of civil government. That was a revolutionary idea in his day. Roelofs concludes that it was the idea of using reason to explain the political world that makes Hobbes one of the primary architects of modernity.

When modernity found expression in politics as liberalism, it carried with it the seeds of Hobbesian thought. Though in America we trace the traditions of liberalism from Locke on forward to Madison, Calhoun and more recently to Dewey, it was Hobbes who earlier than everyone else who wrote about the bourgeois individual and the rights and obligations of governments (Roelofs, 1976). While clearly we cannot give Hobbes all the credit for the development of American liberal thought, it is my intent to make a reasonable argument that it was Hobbes who began to think about the individual as alone and afraid and therefore, in need of a government to assure his safety above all else. Locke would later extend the role of government to include the protection of property in addition to personal safety. So, clearly it was Hobbes who was the first to highlight the problems that affect an individual in society, which called for men to

unite into a civil society under a government. It is not within the scope of this dissertation for me to argue whether Hobbes was a liberal or not. I merely wish to point out that some key ideas that characterize liberal thought that have had a profound influence in the development of political thought in America, have their genesis in Hobbesian thinking. It is in that sense that we owe Hobbes an intellectual debt.

If we are to accept Roelofs' assertion that Hobbes was an architect of modernity, we owe much to his philosophy even today. As Guy Adams (1992) has argued, the culture within which knowledge and theory development is undertaken in our field of public administration is one of modernity. As Adams describes it, a key constituent of the culture of modernity is rationality - a scientific-analytic way of thinking. This mindset, coupled with faith in technological developments, created a world-view in which human problems have technical and engineering solutions (p. 366). He calls this world-view technical rationality. Adams goes on to trace the development of this modernistic world-view and its implications for public administration. He concludes that we (in public administration) remain "enthralled with modernity" and unable to locate ourselves in our present historical circumstance (postmodernity, perhaps). White & Adams (1995) call this technical rationality the "tacit grand narrative" that needs to be "unlearned" before other alternative ways of knowing can be grasped (p. 6). McSwite (1997) refer to this dominance of technical rationality as the "requirement for men of reason to be in charge" (p. 81).

Clearly, this faith in science and reason in modernity can be traced back to Hobbesian thinking. As we saw earlier, Hobbes's political theory was the first instance when knowledge (acquired by reason) of consequences of cause and effect, was used to understand political questions. In its time it was revolutionary because he boldly rejected other tenets (divine right, for example) as a basis for instituting a sovereign. Instead, using reason, he developed a powerful argument to institute a sovereign through a contract of the people in a civil society. And *reason* demands that if the sovereign cannot fulfill his obligation (to protect the people), then people will return to the state of nature and away from the authority of the sovereign (Warrender, 1957; Priest, 1990). Hobbes's system stands on the cornerstone of reason.

Obviously, we cannot assert that Hobbes's political philosophy may lay claim to be the preeminent influence of reason in liberal thinking. But we may suggest that Hobbes being the earliest philosopher to write about these issues, should be recognized for his contributions to our ways of thinking about political matters today.

Turning to specific ways in which Hobbes influenced the development of knowledge in public administration, we can turn to the role that positivism has played in public administration research and analysis. Stephen Priest (1990) believes Hobbes to be the first positivist. He writes:

“It would be historically anachronistic but true to call Hobbes a ‘positivist’. The word is not a seventeenth-century one but it denotes the view that every problem may be solved, in principle, using the methods of the natural sciences. It follows from positivism

that the procedures of natural science may be appropriately extended to explain persons and politics. (p. 19)

We see that the belief that we can use principles borrowed from the natural sciences and apply them to understand humans and political concerns is evident when Hobbes addresses the question on how he defines philosophy. As we shown earlier, Hobbes did not make an express distinction between science and philosophy (Oakeshott, 1966). In the passage below, that point is made evident by his reliance on using the scientific principles found in Euclidean geometry to understand philosophy.

“By Philosophy, is understood the Knowledge acquired by Reasoning, from the manner of the Generation of any thing, to the properties, or from the properties, to some possible way of Generation of the same; to the end to bee able to produce, as far as matter, and humane force permit, such Effects, as humane life requireth. So, the Geometrician, from the Construction of figures, findeth our many properties thereof; and from the Properties, new ways of their construction, by reasoning. (Chapter 46, p. 682)

Hobbes’s philosophical endeavors consisted of a unified science in which appropriate political institutions would be instituted by deducing facts about human nature, which in turn were deduced by facts about the nature of the universe. To achieve this end, he used his knowledge of geometry and mechanics (motion) as the building blocks to advance his philosophy. Clearly, there is a component of positivism in his method of developing a civil science.

Positivism has played an important role in the development of knowledge in our own field. Among others, Herbert Simon (1957) stands out for his role in advancing positivism in our field. Simon made a strong case for relying only on a rigorous scientific approach to studying administration. He writes:

“Factual propositions are statements about the observable world and the way in which it operates. In principle, factual propositions may be tested to determine whether they are true or false – whether what they say about the world actually occurs, or whether it does not..... To determine whether a proposition is correct, it must be compared directly with experience –with the facts – or it must lead by logical reasoning to other propositions that can be compared with experience. (p. 45-6)

As Simon indicated in the passage, he believed that the study of administration should be borne on the shoulders of sound, scientific statements of fact that can be “tested to determine if they are true or false”. And it is experience that determines whether a proposition is correct or not. The belief in this empiricist principle has had an important influence in shaping the kinds of reforms and changes that have happened since Simon (Spicer, 1998). Spicer points to examples -the emphasis on behavioralist social science in the two decades following Simon’s assertions, cost-benefit analysis, management science, and systems analysis in the 1970s (p. 171).

Even today, some in our field maintain that it is possible to develop a science of administration or perhaps, a scientific practice of administration (Lynn, 1996). This belief in science, however, began with Woodrow Wilson even before the turn of the twentieth century. His “*Study of Administration*” (1887), which is often cited as the conscious beginning of the field of public administration, called on science and its methods to reform the workings of government. He believed science would:

“...straighten the path of government, to make its business less unbusinesslike, to strengthen and purify its organization, and to crown its duties with dutifulness. (Quoted in Waldo, 1953, p. 67).

Wilson was calling on America to develop an impartial science that had not yet developed on “this side of the sea” (p. 67). He went on to write that America has not found the scientific “doctors” to diagnose and treat the ailments of administration.

His call for a science of administration found an audience and many scholars including Fredrick Taylor (1911), Henri Fayol (1949), Gulick (1937), and others tried to develop a science that might provide universal principles that could guide administrative actions and decisions. During this formative period of the development of the field of public administration, there was considerable faith place on science to answer administrative problems.

By the 1940s & 1950s, there was less enthusiasm for such a “hard” science in favor of a “softer” scientific approach. But it is worth noting that the belief that science could provide answers to political and social questions remained strong. As Dwight Waldo (1984) wrote:

“...the belief that principles, in the sense of lawful regularities, can be discovered by scientific inquiry remains strong, though probably diminished But the putatively scientific enterprise in social science in general and in organization and management in particular is large, competently staffed, and well financed and remains basically confident that genuine social science.... will eventually be achieved (p. liii)

That belief that a “genuine social science” will prevail is evident by the continued arguments that have been put forth for more scientific research in the field (Houston & Delevan, 1990; Bailey, 1992; Lynn, Heinrich, & Hill, 2001).

There have also been a cogent arguments made for alternative approaches to

understanding administrative problems (notably Hummel, 1991; Denhardt, 1984; Harmon, 1981)

It is not my purpose in this dissertation to review the success or failure of those who advanced more scientific methods of administration and research in public administration. I merely wish to point out that in the field of public administration, a faith in science has played a prominent role from the very inception of public administration as a conscious academic field of inquiry (since Wilson).

As stated earlier in the Chapter, I am suggesting that a reasonable argument can be made that Hobbes was the first political thinker who articulated a science of politics and thereby influenced, albeit indirectly, the prominence that science has played in the development of knowledge in public administration, or indeed, in all social sciences. As demonstrated in Chapter II and earlier in this Chapter, Hobbes provides a reflection on political life by creating an artificial political cosmos using the building blocks of science and reason. If my arguments have been persuasive, I suggest that we owe Hobbes an unpaid intellectual debt akin to the debt paid to Hegel by Ralph Hummel & Scott Gale (2003).

Conclusion

This dissertation sought to understand Hobbes and his ideas of governance as it relates to public administration. The two areas that I focused on were the unpaid intellectual debt that we owe Hobbes, and what we may learn from Hobbes on the issues of security and liberty.

It has been my argument in this dissertation, that Hobbes's thinking on the issues of security and liberty provides us a standard that challenges us to re-think our own. Though it might unsettle us from our established views on these subjects, I believe that such an exercise will improve the dialogue and discourse in our field as we grapple with the challenges that we face today.

In addition to my own reading of Hobbes, I base my confidence in Hobbes on minds far superior to my own - Oakeshott (1966), Macpherson (1966), and Wolin (1969) among others. They would agree that Hobbes provides us a system that is coherent and worthy to be a "distant mirror" (Terrance Ball's term) to help us understand our own practices and conversations today.

As I have argued in Chapter IV, Hobbes provides us with a coherent, powerful system (or architecture) to which we can compare our own ideas and practices. If we do compare our ideas with those articulated by Hobbes, the implications for public administration are consequential. In a time when we are trying to coalesce around a "coherent war narrative" (Melvin Dubnick's term) and searching for a "balance" between security and liberty in a post 9/11 America (Rosenbloom), another way of thinking about the issue gives us distance from our own taken-for-granted assumptions about these issues.

The traditional way of thinking about the issue of finding a "balance" assumes a natural tension between security and liberty. It negates the possibility of there being a complementary relationship. I believe that this tension exists because scholars today do not have a clear understanding of the genesis of security and liberty in a civil society. Hobbes, on the other hand, traces the very

beginnings of security (or the lack of it) in the state of nature, and then proceeds to demonstrate how it evolves under a sovereign in a civil society by the laying down of rights by individuals. He is able to develop a system that shows, as he says in the conclusion to the *Leviathan*, “the mutuall relationship between protection and obedience” (p. 728).

In short, Hobbes shows us a way to think about the relationship between security and liberty in a new way. He allows for the possibility of understanding this relationship within a larger system of governance. As we saw among the scholars who wrote about this issue in the *Public Administration Review* Symposium, their analysis was largely limited to decisions made by the judiciary, while seeking guidance from constitutional doctrines to help resolve the perceived tension between security and liberty. Hobbes, on the other hand, provided the larger context within which we can recognize the various parts of the system and develop a greater understanding of each of the parts and their interdependencies. That is a striking feature of Hobbes’s contribution to political philosophy.

If, as Oakeshott (1966) argues, *Leviathan* is “the greatest, perhaps the sole, masterpiece of political philosophy written in the English language” (p. viii) and Hobbes’s accomplishment in the history of political philosophy “can be shared only with Plato” (p. xviii), we have no convincing reason to exclude it from our discussions about security and liberty in America today. In this age of insecurity, *Leviathan* is perhaps as germane today as when he wrote it.

If political philosophy is the relation between politics and eternity, as Oakeshott (1966) has observed, the *Leviathan* does not offer salvation but deliverance. It does not promise a means to absolve man of his predicament due to his nature, but offers a way for man to survive *despite* his nature. Hobbes understood the limitations of a civil society. But he knew that it is only peace that makes possible what is desirable for man (namely “felicity”). It is order, not chaos that begets liberty to pursue the means to seek “felicity”. To that end he conceived of a system that would be the “deliverance of a man observed to stand in need of deliverance” (p. lxxv). That is the crowning achievement of his political philosophy.

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