Hobbesian Political Order

Russell Hardin


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HOBBSIAN POLITICAL ORDER

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READING HOBBES IN OTHER WORDS:
CONTRACTARIAN, UTILITARIAN, GAME THEORIST

The political theory of Hobbes is variously seen as a forerunner of both utilitarianism and contractarianism. The transparent oddity of these views is that today’s contractarians view utilitarianism with hostility, frequently treating it as the theory that must be defeated if contractarianism is to stand. The core value in contractarianism is consent, which is taken to be right-making. If a people consent to rule by ayatollahs, such rule is right no matter how abhorrent others elsewhere may find it. The core value in utilitarianism is utility or welfare somehow defined. As applied to politics, utilitarians judge that government best which most conduces to the benefit of its people. The particularity of the example for contractarianism and the abstractness of the case for utilitarianism are indicative of their different thrusts.

As a practical matter, Hobbes need not be inconsistent in holding both contractarian and utilitarian views of government. It may happen that we consent to what produces greatest welfare. In fact, it was Hobbes’s greatest genius to fit these together in a striking way. He argued convincingly that universal egoism, which is merely welfarism at the individual level, could be channeled by strong government to produce universal welfare and that egoists, for their own benefit, would want such government. He also claimed that most people are egoists, so that his prescription should apply to real societies. It would not apply if insufficiently many people were motivated by

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egoism, if too many were concerned to promote particular religious views or to promote their honor or glory as defined by success in warlike endeavors.

But as a strictly theoretical matter, commitment to consent and commitment to welfare are not equivalent and may be contrary. Hence, at base, Hobbes's theory is ambivalent.

Hobbes is also ambivalent about what problem he wishes to resolve. His discussion is more or less equally about the creation and the maintenance of sovereign government. His overriding actual concern at the time of writing, even his likely motivation for writing, was surely the maintenance of sovereign government in the face of revolutionary fervor and turmoil. But his discussion of creation has provoked more commentary by far. Again, a theory of creation need not conflict with a theory of maintenance, but it need not be the same theory either.

As it happens, Hobbes's two ambivalences are overlapping in the following sense. His theory of maintenance of a sovereign is primarily welfarist while his theory of creation is primarily contractarian. (Hence, in Hobbes's case at least, the claim that utilitarianism is inherently conservative seems to fit.) However, even in his concern with creation, his background view is often utilitarian and in his discussions even of maintenance he often invokes consent or at least tacit consent. Indeed, in some contexts he asserts that silence can imply consent (Leviathan, chap. 14, 193[167]; chap. 26, 313 [138]).

Part of the confusion in Hobbes is ours. Our central categories for reading him are, unfortunately, not his categories. For example, C. B. Macpherson says that Hobbes introduced, "in other words," the notion of the social contract. When we read Hobbes, we tend to read him almost entirely in other words, it seems. Yet we read Hobbes not simply as literature but as social theory because we want to understand politics in our own categories. Hence we are stuck with the burden of not merely reading Hobbes but of re-reading him.

Over the past two decades or so we have taken to re-reading Hobbes in yet another contemporary vocabulary, that of game theory. In particular, there is a newly established consensus that in Hobbes's vision, the state of nature is plagued with Prisoner's Dilemmas. It is sometimes further supposed that the problem of escaping from the state of nature by creating government is itself a large Prisoner's Dilemma. The Prisoner's Dilemma is the centerpiece of discursive game theory. Since its discovery around 1950, it seems to have gone on, slowly at first but then with alarming rapidity, to have swallowed all of sociology and much of social theory, including normative theory. The claims that Hobbes is a contractarian and that his problem is the resolution of a grand Prisoner's Dilemma are seen essentially as a single thesis in
different vocabularies. If so, they stand or fall together. Alas, they fall separately. Hobbes is, in some respects, wrong to invoke contractual arguments and, as Gregory Kavka and Jean Hampton persuasively argue, the modern game-theoretic re-readers are wrong to think that Hobbes’s account of the problem of creating government is a Prisoner’s Dilemma.

The rise of the Prisoner’s Dilemma is a distant result of the invention of game theory, one of the greatest intellectual advances in our understanding of social and political theory, by Neumann and Morgenstern nearly half a century ago. “Game theory” is not the best of names for that advance because the understanding of games per se is of little moment in social theory and because the chief contribution of Neumann and Morgenstern is hardly a theory in any case. Rather, their contribution is a framework for analyzing social interactions. The beauty of the framework is the way in which it forces us to keep various interactions clear to ourselves as we reason about them. Often, keeping them persistently clear seems nearly sufficient to understand very much about the ways they work.

Naturally, there were forerunners of so central a discovery as the framework of game theory. Many of the great political philosophers have at one point or another in their analysis had some grasp of the structure of relevant strategic interactions. Apart from Hume, however, none seems to have so pervasive a strategic sense as Hobbes, as in his Leviathan. Indeed, his strategic grasp is so clear that contemporary readers regularly associate game theoretic categories and ideas with Hobbes’s arguments. In particular, he spells out the structure of the Prisoner’s Dilemma with eloquent clarity in the failure of beneficial exchanges in the state of nature. I therefore think the contemporary urge to remake Hobbes in our own vocabulary is constructive and enlightening. The first major effort in this urge is David Gauthier’s The Logic of Leviathan twenty years ago. The most assiduous and instructive effort to make Hobbes a modern game theorist is that of Gregory Kavka in his recent Hobbesian Moral and Political Theory. From Gauthier to Kavka, our understanding of Hobbes has been remade and clarified.

I wish to join the enterprise of re-reading Hobbes as a proto-game theorist. With Kavka and Hampton, I wish to argue that Hobbes’s central problem of political order is not the problem of the Prisoner’s Dilemma. We need political order, in Hobbes’s view, in part to help us overcome the logic of the Prisoner’s Dilemma in our quotidian relations. But the task of creating or maintaining political order is not itself a Prisoner’s Dilemma but, rather, a coordination problem. Hence its resolution is not contractarian in the straightforward sense of that term but is conventional. It depends far less (if at all) on what people consent to than on what will work. Insofar as he recognizes
and even argues this, Hobbes is more nearly a social scientist than a normative theorist. Against Kavka and Hampton, however, I also wish to argue that the central problem that Hobbes mastered is not the creation of government from the state of nature but the maintenance of government. The problem of the instant creation or elevation of a sovereign from the state of nature is not an interesting problem either normatively or social scientifically, and concentration on it distorts the greater value that Hobbes’s analysis has for us.

It is common, of course, to re-read classical writers in contemporary terms. This has often been done to Hobbes. Such re-reading can be misleading because we may tend not merely to translate but to transmute, to recast not only the vocabulary but the arguments of the earlier work. To some extent this is plausibly unavoidable, especially if the earlier vocabulary and hence arguments were vague. For example, in part because of Hobbes’s own vagueness, readers often impose willy-nilly on his arguments the contractarian vision of government to the neglect of other elements of his odd view. Hobbes is a forerunner of that vision, as articulated later by Locke and others but partly in a negative or provocative sense, as Euclidian geometry is a forerunner of non-Euclidian geometries such as Riemannian geometry. It is partly in reaction to Hobbes that the contractarian enterprise flourished. That enterprise was not merely an elaboration of Hobbes but was an alternative to what are often seen as the worst parts of Hobbes, especially the pervasive egoism. Or at best it was a very partial elaboration of Hobbes, because although he creates government by covenant (which is merely a contract that is not immediately fulfilled), he often defies the central elements of early contractarian thinking. He is not concerned to substitute consent for religious bases of obligation. (Indeed, he could generally do without a notion of political obligation, but that is here a side issue.) In any case, he frequently denies that we do in any meaningful sense consent to rule by our sovereign. Moreover, most of us do not even understand the issue. All that we need do is submit to a powerful sovereign who has devices for coercing us. This gunman view of the sovereign, who is not idly called *Leviathan* in Hobbes’s greatest work, makes a mockery of contemporary contractarian paens to the beauty of consent.

In defending these claims, I will first demonstrate Hobbes’s understanding of the Prisoner’s Dilemma structure of contracting and exchange. I will then lay out the structure of Hobbes’s theory with its potentially misleading dual focus on the laws of nature and the laws of a sovereign. Getting the arguments of these two sections clear is important because they are the source of the common understanding of Hobbes as the contractarian resolver of the
grand Prisoner’s Dilemma of social order. With the sketch of these arguments in place, I will turn to the role of the Prisoner’s Dilemma in Hobbes’s state of nature and the range of strategic devices available for escaping from the state of nature, including the role of social contract thinking in Hobbes. These two issues are rightly seen as closely related in that contractarian arguments are most persuasive when applied to Prisoner’s Dilemmas from which all can benefit through regulation of their cooperative behavior by a contract. It is evidence of the power of Hobbes’s strategic sense that, in contemporary language, he implicitly rejects the Prisoner’s Dilemma description of the state of nature, which he could clearly understand, even if in other words.

**CONTRACT AND THE PRISONER’S DILEMMA**

To see that Hobbes fully understands the Prisoner’s Dilemma but does not make it the central problem of achieving political order, consider his lengthy discussion of contract, which takes up most of chapter 14 and much of chapter 15 of *Leviathan*. A contract involves mutual transferring of rights. Such transfers are accomplished by “Bonds, that have their strength, not from their own Nature, (for nothing is more easily broken than a mans word,) but from Feare of some evil consequence upon the rupture” (chap. 14, 192 [65]). A contract in the state of nature is void. Indeed, to perform one’s side of a contract first in the state of nature is wrong because “he which performeth first, does but betray himselfe to his enemy; contrary to the Right (he can never abandon) of defending his life, and means of living.” But “if there be a common Power set over [the contractors], with right and force sufficient to compel performance, it is not Void” (chap. 14, 196 [68]).

It should be clear that Hobbes sees the strategic structure of exchange by contracting as a Prisoner’s Dilemma because his ordering of the payoffs of the possible outcomes is that of the Prisoner’s Dilemma. We both prefer the state in which we have exchanged to the status quo. To either of these states, we each prefer to be the recipient of the other’s half of our contract without having to fulfill our half. And it is obvious that Hobbes thinks the worst outcome for each of us is to fulfill first and then not to have the other fulfill — so much so, indeed, that he thinks it wrong of one of us to fulfill first as doing oneself too great harm. In addition to recognizing the payoff structure of the Prisoner’s Dilemma in his account of contracting, Hobbes also recognizes the individual incentive to defect on one’s fellow contractor, an incentive that he supposes can only be overcome in general through
enforcement by government, so that without government enforcement we cannot rely on contracting. This is, of course, the central problem of the single-play Prisoner’s Dilemma.

Hobbes concludes that, in essence, the very notion of contract is empty where there is no civil power to enforce contracts because virtually all would defect. It follows that there can be no contract prior to the creation of government. It is both a practical and a moral point that “the Validity of Covenants begins not but with the Constitution of a Civill Power, sufficient to compell men to keep them” (chap. 15, 203 [72]; emphasis added). Oddly for the view of many contemporary readers of him, then, Hobbes seems in one breath to give license to the Prisoner’s Dilemma model of the establishment of government and — misanthrope that he is — in the next to take it away. Yet it is clear that Hobbes sees the Prisoner’s Dilemma problem as the central ground for the creation of government with coercive power. It is also clear that he cannot consistently resolve the problem by simply invoking contract or covenant, either practically or morally. He has ruled them out of the state of nature.

THE STRUCTURE OF HOBBES’S THEORY

In Leviathan, Hobbes begins his strategic account of the possibilities for political order in the context of his discussions of contract and covenant. Any major philosopher’s account of such a significant and difficult issue is likely to allow for varied interpretations. Hobbes’s account here virtually generates varied interpretations because it is driven by what are in many ways two separate discussions going at once. One discussion is of the laws of nature. This is a quasi-Kantian account of how one would want or could rationally will everyone to behave. The second discussion is of the difficulties one must have in acting according to the apparent dictates of the laws of nature in the actual world, or rather of the unreasonable costs one would bear if one were to act according to them.

To distinguish the two discussions, Hobbes notes that the laws of nature apply in foro interno, in the mind, whereas our fundamental political problem is how to motivate people in foro externo, in public:

The Lawes of Nature oblige in foro interno; that is to say, they bind to a desire they should take place: but in foro externo; that is, to the putting them in act, not alwayes. For he that should be modest, and tractable, and performe all he promises, in such time, and place, where no man els should do so, should but make himselfe a prey to others, and procure
his own certain ruine, contrary to the ground of all Lawes of Nature, which tend to Natures preservation. (Chap. 15, 215 [79]; emphasis added)

The Kantian tone of Hobbes's Lawes of Nature is expressed clearly here in his variant of a categorical imperative in his "desire they should take place."\(^\text{11}\)

The laws of nature are all derivable, Hobbes thinks, from the ground principle that nature tends to its own well-being. Hence the laws of nature are such as, if they were universally followed, would conduce to the well-being of all. They are generally laws governing interactions to enable all to prosper individually by leaving each other free from fear of attack on person or property.\(^\text{12}\)

The derivation of the laws of nature is, again, a matter of supposed logic to Hobbes, as derivations of physical or geometrical laws are. In fact, of course, they also depend on many empirical claims, many of which are dubious. But the laws are not themselves subject to bargaining or agreement in any sense other than intellectual agreement from anyone who has "sifted to the bottom, and with exact reason weighed the causes, and nature of Common-wealths" (chap. 20, 261 [107]). They are strictly rationalist, as are the central moral principles of Kant or of such contemporary thinkers as Alan Gewirth, David Gauthier, and John Rawls.\(^\text{13}\)

Just as Rawls's derivation of his principles of justice can be done by a single representative person behind the veil of ignorance, so Hobbes's laws of nature could be derived by Hobbes sitting at his desk and thinking carefully and hard, more carefully and harder, he supposes, than anyone before him on this subject (chap. 20, 261 [107]).\(^\text{14}\)

The comparison with Rawls is apt in another important respect. From a grasp of Hobbes's laws of nature, *nothing immediately follows for our behavior*. We can fully understand the laws or Rawls's principles of justice and still act as though they did not govern our behavior. Indeed, in both cases, it is not even generally clear what it would mean for a single individual to act according to the derived laws or principles. Hobbes goes so far as to say that it would be wrong for a single person to follow the laws of nature in the actual world if no one else were following them because to do so would make one a prey to others and procure one's own certain ruin, "contrary to the ground of all Lawes of Nature, which tend to Natures preservation" (quoted earlier). Recall Hume's similar concern: "I should be the cullly of my integrity, if I alone shou'd impose on myself a severe restraint amidst the licentiousness of others."\(^\text{15}\) That would be too much to expect, especially of a rational, self-interested person. One can be obliged to follow the dictates of the laws of nature only in the context of a political society ruled firmly by a sovereign who will enforce them as *legal* laws. Similarly, Rawls's principles should
lead to the design of institutions that will produce just distributions, in part by giving people incentives for relevant behavior.

Hobbes uses the term "law" in two different ways that he expressly distinguishes. Laws can be theorems, as in mathematics or physics, hence absolute and eternal (chap. 15, 215 [79]). The "Lawes of Nature" are laws in this sense; they are merely "Theoremes concerning what conduceth to the conservation and defence of [men]" (chap. 15, 217 [80]). One might rather say these are not absolute but merely functionalist in the sense that they depend on human nature. If humans were otherwise, perhaps especially if they were less self-seeking, the laws of nature might be different.

In their second meaning, laws can be the commands of a sovereign, hence legal and contingent. There can be no laws in this sense without a sovereign; that is, there can be no laws in the state of nature. Moreover, notions of right and wrong, justice and injustice have no place in the state of nature, nor are they inherent faculties of the body or mind. If they were they might be in anyone who was alone in the world, just as one's senses or passions would be. Justice and injustice are, rather, qualities "that relate to men in Society, not in Solitude" (chap. 13, 188 [63]). Such notions as justice are defined by law in the second sense of that term. In Hume's terminology, justice and its relatives are artificial virtues. In both Hobbes and Hume, the whole point of such qualities or virtues is strategic: They are valued not per se but rather for their beneficial regulation of social interaction.

What is the relationship between the two kinds of law? It is the office of the sovereign to impose legal laws to accomplish the ends of the laws of nature:

The Office of the Soveraign consisteth in the end, for which he was trusted with the Soveraighn Power, namely the procurat of the safety of the people. 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. (Chap. 30, 376 [175])

But this just means, if Hobbes's derivation of the laws of nature is correct, that the sovereign should essentially see to their fulfillment. (It is ironic that, against those who see Hobbes as the architect of American bourgeois government in many respects, the U.S. Supreme Court recently ruled that American state governments do not have a constitutional duty to protect people against each other. A sovereign power could hardly be less Hobbesian. Once such a sovereign is there to enforce law, thereby making the creation of law possible, then everyone may finally bring actions in foro externo in line with prescriptions in foro interno.
In passing, note the difference between Hobbes's rationalist derivation of his laws of nature and recent rationalist derivations of moral principles. Gauthier and Gewirth seem to think it a matter of logic or self-consistency that we act according to their rationally derived principles once these are understood. Hobbes clearly does not think anything of the sort for his laws of nature. He thinks we require the sovereign to motivate us to act in foro externo as we would want in foro interno for all to act. However, he seemingly gives license to Gauthier's claim that Gauthier's program is really Hobbes's as well. Hobbes says that injustice in the controversies of the world is "somewhat like to that, which in the disputations of Scholers is called Absurdity" (chap. 14, 191 [65]). Hobbes means that such an injustice as the violation of one's contract or promise in civil society is a contradiction with one's original agreement. As such a contradiction, it is vaguely like a logical contradiction. He does not go on to deduce the obligation to keep a promise, as John Searle and others do, from the apparent contradiction of not keeping it after having made it. And he certainly does not go on to suppose, as Gauthier seems to do, that such a contradiction would motivate me to keep my promise even though it might be in my immediate interest not to. Hobbes's rationalism goes only to the point of deducing what general practices would be in our interest. It does not entail any purely rational motivation then to abide by those practices.

**THE STATE OF NATURE**

Again, the Prisoner's Dilemma that Hobbes recognizes is at the level of individual interactions in the state of nature. It does not follow from this that the state of nature and its potential resolution constitute a grander Prisoner's Dilemma. There is, however, some license in his words and in a casual view of his problem for supposing that his social contract is to resolve such a grand dilemma. The Hobbesian state of nature is analogous to the usual large-number Prisoner's Dilemma analysis in the following sense. The outcome that one wishes to improve in a Prisoner's Dilemma is the status quo in which no one is cooperating. This outcome is strongly Pareto inferior to that outcome in which all are cooperating. That is to say, all are better off in the all-cooperate than in the none-cooperate or all-defect outcome. Similarly, in Hobbes's state of nature, all could be better off if all followed the laws of nature in foro externo. That is, of course, why they are laws at least in foro interno.
There are two main differences between the state of nature and the usual Prisoner’s Dilemma. The first difference is in the relative nastiness of the state-of-nature and the Prisoner’s Dilemma all-defect outcomes. In the state of nature, we all have incentive not merely not to cooperate with but even preemptively to kill one another. In the usual Prisoner’s Dilemma, we merely have an incentive not to cooperate. The condition of settlers on an otherwise uninhabited frontier is like the usual Prisoner’s Dilemma, not like the state of nature. I work my land, you work yours, and neither of us benefits from the cooperative gains from specialization and trade. This is a sanguine if impoverished state of affairs. It is not the sanguinary state of nature. The difference here may be important for Hobbes, but it is not central for the present claim against the received Prisoner’s Dilemma account of his theory.

The fundamentally important strategic difference between the Prisoner’s Dilemma and the state of nature is that the latter can be characterized neither as a single interaction nor even as a simple iterated interaction. It involves a messy jumble of many interactions, some iterated, others not. Many of these interactions, both actual and potential, must be Prisoner’s Dilemmas, both iterated and not. Apart from preemptive murder, it is especially the potential Prisoner’s Dilemma interactions of mutual cooperation through contracting and promising that most interest Hobbes. The loss of benefits from such interactions as well as the constant threat of death characterize the pain of the state of nature. Our problem is therefore not how to resolve one interaction but how to regulate this messy jumble. This problem is not simply a large Prisoner’s Dilemma, iterated or otherwise. It does not have a two-person analog of a $2 \times 2$ payoff matrix with strategies of cooperating and defecting. It is virtually all or nothing in two senses. First, we find a system for regulating our quotidian Prisoner’s Dilemma interactions or we do not. Second, we all find such a system or we all fail together. The payoff structure of this problem is dreadful payoffs to all if we do not regulate and very good payoffs to all if we do. There will be no mixture of cooperators and defectors; therefore, there is no analog of the cooperate-defect and defect-cooperate outcomes of the usual Prisoner’s Dilemma.

One might ask what it would even mean to defect while others cooperate in moving from the state of nature to creation of government. It would not be like free riding in a large-number Prisoner’s Dilemma or collective action interaction in which the defector receives extra benefits or avoids costs while receiving all benefits available to others. Because the common interest on which we all would want to coordinate in creating a sovereign is the interest in having a sovereign capable of coercing any defectors, defection would likely entail either being suppressed by the government or going into exile.
Neither of these would be a preferred option for most people. Hence defection is not a dominant strategy in the game of creating and maintaining government, as it is in single-play or large-number Prisoner’s Dilemmas.\textsuperscript{22}

This problem requires collective resolution of a kind very different from the spontaneous voluntarist acts of all individuals that can resolve many coordination games. For example, we could—and, indeed, evidently did—establish a convention for driving either on the left or on the right by spontaneously falling into one pattern or the other.\textsuperscript{23} We might similarly suppose Hobbes’s problem could be resolved by convention.\textsuperscript{24} At the stage of the state of nature and the initial creation of government, however, our problem is not one of adapting a regular response to a \textit{recurring} coordination interaction. For Hobbes’s problem of political order, that is, of the regulation of manifold Prisoner’s Dilemma and other interactions, it is not merely a pattern of coordinated actions, taken repeatedly, that we require but, rather, a sanctioning mechanism created to regulate our quotidian interactions. Our problem is to create once and—we might hope—for all a government that resolves our ongoing potential Prisoner’s Dilemma interactions. We wish to coordinate now, not by convention.

As an explanatory theory of how an actual state works, however, an argument from convention is essentially correct.\textsuperscript{25} Our government stays in power because citizens daily follow the convention of obedience defined by our particular sovereign. This is a convention in the clear, technical sense of the term as used by David Lewis.\textsuperscript{26} It is in everyone’s interest to be obedient if everyone else is but not if most others are not. I cannot generally gain by being disobedient. Moreover, maintenance of an extant government may, after all, be the principal concern of Hobbes and the central focus of most of his arguments. The state of nature is not an origin but a possible destination of society. We can get to it all too readily by revolution. We can avoid it by convention. We may even go further to argue that the growth and development of institutions of government proceed by convention. This would be eminently consistent with Hobbes’s views, as will be discussed, on the desirability of democracy or popular rule.\textsuperscript{27}

How might we coordinate to create a sovereign? If it is true, as Hobbes thinks it very nearly is,\textsuperscript{28} that all share in the preference for a strong mechanism, we could all simply get together one time to create it as we might finally meet to resolve contrary practices of driving left and right. If so, then there is a sense in which Hobbes could be called contractarian despite the fact that his problem is not Prisoner’s Dilemma. Against this possibility, Hobbes regularly says that this very understanding of the situation is one that has come only to him and hence only late in the history of societies, and he seems
to think most people are never going to understand it (chap. 20, 261 [107]). Even independently of a failure of understanding of the situation, however, there are two plausible objections to this contractarian move, both consistent with most of Hobbes's text but neither — I think — explicitly stated by Hobbes.

First, the grim conditions of the state of nature make it essentially impractical for us all to get together to do anything. Indeed, they make it impractical for us even to coordinate on a time and place for meeting by undercutting the possibility of credible discussion. This is one point in the analysis at which Hobbes's particularly nasty picture of the state of nature may play a significant theoretical role. (It may also play a role in Hobbes's apparent sense that once the problem of political order is understood, the resolution is easy because the perceived universal benefits are enormous.) Hobbes's own discussion of voting as a mechanism for choosing the sovereign seems contrary to his own characterization of the problems of dealing with each other in the state of nature.

Second, our problem is not a pure coordination interaction. There is no one single possible resolution of the state of nature. Rather, there are varied possible forms of government on which we could coordinate. Hobbes mentions monarchy, aristocracy, and democracy. Hence there is potential conflict on how to resolve our problem even if we could overcome our fear of death long enough to meet and establish government.29

The only plausible way out of the state of nature is to change the game by changing the incentives to each individual. This is also generally true for any Prisoner's Dilemma in which the costs of risking cooperation far outweigh the benefits of it. And it is commonly true for very large-number Prisoner's Dilemma interactions. But the players in a game cannot pull themselves up by their own bootstraps to change the incentives they face. They require some kind of external intervention. Again, this aspect of the Prisoner's Dilemma analysis is analogous to Hobbes's central problem. The external intervention that many political philosophers of his time invoked was intervention by God to sanction individuals for their antisocial behavior. Hobbes lived in a time in which the invocation of different gods was arguably the chief political problem. That was a problem that could not be resolved by bringing in a particular god. Hobbes therefore required a new solution.30

One should not go very far toward thinking there is an actual problem in Hobbes's analysis here. There is nothing more than the kind of conceptual analysis that stands behind his account of the laws of nature. He is canvassing conceptual not practical possibilities. The nearest thing to a state of nature that we are likely to find in historical records or known experience is in brief periods of the breakdown of social order. Apart from such moments, the
nearest thing may be analogous to life among the Yanomamö, an aces-
halous society along the Brazilian-Venezuelan border, as described by C. R. 
Hallpike. The Yanomamö and other such societies, he says,

engage in warfare because among other reasons they cannot stop, not because they 
necessarily as a culture derive any benefit from fighting. In the absence of any central 
authority they are condemned to fight for ever, other conditions remaining the same, 
since for any group to cease defending itself would be suicidal. In some cases of this 
type the people have no real desire to continue fighting, and may welcome outside 
pacification.\(^1\)

This is almost a picture of the state of nature as conceived by Hobbes. The 
chief difference is that the fighting is not randomly individual by individual 
but community by community. Hence there is substantial social organization 
with genuine control over individuals. In a similar case, among the Fore of 
Highland New Guinea, external intervention that was not very forceful, that 
played little more than a signaling role was sufficient to bring peace. “The 
warfare was not liked, and the distant presence of but a single patrol officer 
and a handful of native police was grasped as an excuse to cease.”\(^3\) The 
problem could be reduced to a signaling problem because there was imme-
diately a single plausible resolution of it when the colonial power arrived on 
the scene.

\(\textit{CONTRACTING OUT}\)

A common reading of Hobbes is that his solution was virtually to forget 
or ignore the very problem he saw and to trick up government by contract or 
mutual agreement. Yet there is a general consensus among contemporary 
social theorists that we cannot get cooperation in large-scale Prisoner’s 
Dilemmas from narrowly self-interested choices on the part of all the relevant 
individuals. By implication, Hobbes is a dismal failure.

Consider first the relative consensus on the irresolvability of large-number 
Prisoner’s Dilemmas.\(^5\) It is generally agreed that small-number Prisoner’s 
Dilemmas that are iterated are resolvable by spontaneous action that is only 
self-interested. Moreover, such resolutions may govern large populations 
who frequently engage in small-number Prisoner’s Dilemma interactions, 
such as person-to-person promise keeping or truth telling.\(^4\) But these ac-
counts do not generalize to cover large-number interactions,\(^5\) for which 
self-interest seems inadequate to produce cooperation. Someone may yet 
devise a convincing argument for why, even from narrowly self-interested
considerations, we should cooperate, but the most convincing arguments so far are clearly against a self-interest resolution of large-number Prisoner's Dilemmas.

If Hobbes has not merely failed to understand this point, how then does he resolve the collective problem we face in creating beneficial government? He does not have the vocabulary to put it this way, but I think it clear that he himself sees the problem as a coordination problem in the following sense. As compared to the state of nature, many forms of government would be generally preferred by all. Government based on monarchy, aristocracy, or even broad democracy would all be better than no government for virtually all of us. Our task in the state of nature is to coordinate in putting one or another form of government into place so that it might then coerce us to act as though we are motivated by the cooperative spirit of the laws of nature. This is a view that could be reached clearly enough in foro interno. The solution is coordination, coordination indeed that need not be intentional. All that need be intentional is submission out of self-interest once there is a government that works well enough to force submission.

Hobbes implicitly goes further than this in the assumptions of his account. He thinks we should rationally all agree that the best form of government would be absolute monarchy. Hence the coordination problem we face is not in choosing a form of government but rather in choosing an embodiment of it. The wonderfully metaphorical engraving that decorated the title page of the first edition of Leviathan and that has been widely reprinted expresses Hobbes's coordination vision succinctly. In that engraving, the sovereign's body is either made up of or clothed by the people of the commonwealth. Those people are not engaged in interactions with one another, as contractors would be. They are all uniformly engaged in coordinating their gazes on the face of the sovereign. Hobbes gave license to the artist, saying, "This is more than consent, or Concord; it is a real Unitie of them all, in one and the same person" (chap. 17, 227 [87]). Of course, at the point of this metaphorical representation there already exists a sovereign. How do we get to that point?

Since we are all relatively equal in any sense that matters, many of us would be plausible candidates for sovereignty, so our coordination problem is a complicated one. But it is also therefore a relatively simple one in that it hardly matters whom we finally get as our sovereign. What matters is that we finally succeed in coordinating. If someone comes to power through self-seeking and cunning, still we have the benefits of a sovereign. But if it is up to us to make a choice of one of us over others, we have a difficult problem. "Thus," because we are all equal, Leo Strauss writes, "the problem of sovereignty arises." We cannot select from simple reason—there is
none—but only from arbitrary will. Bertolt Brecht’s Mack the Knife says first comes food and then morality. Hobbes says first comes victory over hunger and cold and then politics. Hobbes has the better insight.

Hobbes offers two routes to a sovereign from the state of nature. The first is by covenant. We all agree to lay down our arms on condition that all others do likewise and we transfer our right to self-defense to our chosen sovereign (chap. 18, 228-29 [88]). The second is that we suffer conquest and we acquiesce in the rule of our conqueror because it is not in our interest individually to oppose him (chap. 20, 255 [103-4]). The grand consent of the first resolution is missing from the second. But note that the power available to the conqueror, as demonstrated by the conquest, must be substantial. What could be the power of our newly chosen sovereign under our mutual covenant? That newly elevated Leviathan cannot have had great power before our choice or he could simply have established himself as sovereign without our gracious consent.

The central explanatory concern in this creation of a powerful coercive sovereign out of the state of nature by covenant is how can the new sovereign have the power to sanction those who are not obedient? We know from occasionally overwhelming experience that extant sovereigns have such power. The most troubling point in Hobbes’s account is one that seems to trouble him most. At least we might suppose it troubles him from the fact that he raises it and then passes it by with overt sleight of hand. Let us follow him in that account.

Hobbes describes as a covenant the consensual creation of a sovereign from the state of nature in which, we may recall, all are effectively equal in power of coercion: I lay down my arms if you and all others lay down yours. He has forcefully argued (and even convinced us) that a covenant in the state of nature where it cannot be enforced is invalid, both practically and morally. What will make this one valid is, after it is entered, the coercive power of the sovereign, either a person or a council, it establishes. Hobbes recognizes great difficulties in this transition and wavers between saying we transfer rights to the sovereign and saying we transfer power. What is the form of that power? In the English edition of De Cive, which is a more or less literal translation of the original’s Latin, Hobbes writes of the power of a newly elected sovereign, “which power and Right of commanding, consists in this, that each Citizen hath conveyed all his strength and power to that man, or Counsell; which to have done (because no man can transferre his power in a naturall manner) is nothing else then to have parted with his Right of resisting.”

Here, Hobbes falters. We can consent all we want to, but, as a matter of actual fact, we cannot simply hand our power over to anyone if it is con-
stituted primarily of our human capacities. I consent to the movement of the
mountain before us out of our path, but it will not happen therefore. And our
new sovereign cannot enter office with any power worth having for the
awesome tasks ahead.42 In Leviathan, published the same year as the English
De Cive, the parallel passage avoids the difficulty. Hobbes here says of the
sovereign upon election that "by this Authoritie, given him by every partic-
ular man in the Common-Wealth, he hath the use of so much Power and
Strength conferred on him, that by terror thereof, he is inabled to forme the
wills of them all, to Peace at home, and mutuall ayd against their enemies
abroad" (chap. 17, 227-28 [87-88]). The problem of how right turns to power
has been magically left out of discussion. Yet only a paragraph earlier,
Hobbes says of the inhabitants of the state of nature that "it is no wonder if
there be somewhat else required (besides covenant) to make their Agreement
constant and lasting" (chap. 17, 226 [87]).

In sum, Hobbes knows that power is necessary for order and that power
cannot be conjured up by mere consent. But he does not know how to resolve
this dilemma to get a state in place.

POWER AND THE MAINTENANCE OF RULE

Hobbes's other focus throughout his political works is on keeping a
present government safe from revolution. An extant government is likely to
have substantial power that may take two forms. First, it may have resources,
such as wealth and weapons, that can be put to general use to achieve varied
ends, especially including the coercion of those insufficiently obedient to the
laws. Various revolutionary leaders have been backed by very little of such
resources and yet have defeated governments that had substantial resources
available. Their power generally has taken the form of substantial popular
following, the coordination of many people behind their purposes. In many
primitive states, this may be the principal form of central power. The collapse
of a sovereign's power, as in Hobbes's own time, can come quickly when
there is coordination of many citizens behind an opposing Cromwell.

Unfortunately, one cannot simply plan and achieve coordination with
much hope of success. If it happens, it does so through many independent
choices or commitments. Hobbes's excessively defensive inhabitants of the
state of nature could not simply agree to coordinate on my elevation to
sovereign and then stick by that commitment. Recall that Hobbes thinks it
nonsense to suppose the sovereign could bind himself by mere act of will.
This is nothing special about the sovereign. It is the central problem of
everyone in the state of nature as well, because we cannot bind ourselves by act of will to fulfill our contracts. If we could, we would have no need of a sovereign to coerce us.

What Hobbes needs here is one of the major insights of the Scottish Enlightenment: that social institutions can be the unintended consequences of a pattern of human actions taken for reasons other than the creation of the institutions. Writing at the height of the Scottish Enlightenment, Hume is much better on the issue of how we happen to coordinate on some one of many possibilities. He clearly recognizes the issue’s significance as an independent problem and offers compelling, often clever resolutions of it, many of them in the long footnotes of his Treatise. Surely, Hobbes would have appreciated such resolutions and would have adopted them, even if perhaps egoistically without citation.

But clearly, there are many passages in his accounts of extant government and its value in which Hobbes seems, yet again, to be a forerunner of the later way of seeing things. Perhaps every major theorist concerned with actual as well as theoretical societies must have had some sense of the role of unintended consequences in the larger social order. Hobbes is basically historicist in his understanding and even in his evaluation. What is is good. Therefore, he wishes to give us a justification for our allegiance to what is. He knows where he wants to go but does not know how to get there. Even without a sense of how to get there, however, he can give very strong arguments for why it is not in our interest to let our government collapse. His arguments depend on certain factual claims that may be wrong. In particular, he seems to have a very grim view of the possibilities of destruction in a revolution. Anyone who contemplates the Lebanons and El Salvadors of history will not immediately think Hobbes entirely wrong.

What force does the state of nature argument have if Hobbes can only explain and justify continuation but not creation of government? It helps to explicate what the natural interests of people are and how they can be served only by the artificial device of government. The role is strictly to show why government is good, not to explain how it could come to be. But that is, oddly, enough for Hobbes’s normative project of justification. He does not require a connection between origin and actuality to justify actuality. Against this view, Kavka defends his focus on creation of a sovereign by covenant rather than by conquest:

The reason for this is that we wish to construct a normative as well as descriptive Hobbesian political theory. We are concerned with whether the State can be justified, on what grounds, and with what limitations or restrictions. And we want our arguments to be persuasive to individuals who conceive themselves as morally independent be-
ings. Therefore it is of more interest to us in what manner and form a State might be founded by agreement among independent rational individuals, than how they have actually originated via family ties and conquest.\textsuperscript{46}

But on any account—Hobbes's, or the variants of Kavka and Hampton—the origin of sovereignty in a covenant in the state of nature is incredible, not plausible. What is not possible cannot justify anything. Yet Hobbes gives, assuming his facts are roughly right, compelling justifications for maintenance of government and for the general existence of government. Moreover, these justifications have normative appeal that the covenant theory does not have. In the face of actual histories of the rise of governments, a contractarian justification of an extant state requires a theory of rectification or an implausible theory of current consent. Hobbes's maintenance justification requires no such theory.

\textit{POPULAR RULE}

Consider a major side issue in Hobbes's accounts of political order: his apparent dislike of popular rule. This issue provides a good case for working through Hobbes's analysis. It is instructive to see how, if one makes certain factual assumptions that Hobbes seems to have made, his apparent dislike of democracy fits his general analysis for explanatory or social scientific reasons rather than for moral or other more direct reasons.

Hobbes clearly seems to prefer monarchy and aristocracy to democratic or popular rule. Indeed, although perhaps unjustly, his \textit{The Elements of Law}, a forerunner of \textit{Leviathan}, was read as a defense of monarchy at the time the king was under siege from the Long Parliament.\textsuperscript{47} Leslie Stephen suggests that "Hobbes's dislike to popular rule may be due in part to a certain intellectual difficulty. . . . [He] is not comfortable with abstractions."\textsuperscript{48} That is an odd, even startling, explanation for one who avowed himself to be the abstract geometric of political thought and who elaborated the abstract, not to say absurd, notion of the state of nature. It seems more likely that Hobbes was uncomfortable with the particular kind of "abstraction" involved in leaping to popular rule in his time. To put the issue in stodgy terms, popular rule was untried and therefore unknown in Hobbes's time. One who preferred the status quo to change must have preferred the known to the unknown even more. If not the king, then at least a Cromwell.

To give Hobbes the greatest possible credit in his view of popular rule, note that it is clearly consistent with his general view of the rightness of a particular form of government. A form of government is right for a given
society and time if it is currently working. Alternatives have against them the very high costs of transition: "And they that go about by disobedience, to doe no more than reforme the Common-wealth, shall find they do thereby destroy it" (chap. 30, 380 [177]). We learn what works by hard experience and our experience contributes to the value of what we have. The credibility of popular rule requires some experience of it and the development of requisite institutions, conventions, and so forth that cannot simply be conjured into place because we want popular rule. They have to grow. It is plausible that popular rule in Hobbes's time would have brought chaos, that the transition to popular rule had to be relatively slow rather than immediate. Of course, Hobbes may also have had a substantive objection to popular rule in his time because he may have feared the distribution of destructive and coercive religious beliefs that may have driven much of the agitation for popular rule and other reforms. But even such a substantive objection is in keeping with his conventional conception of the value of government per se and of a particular extant government.

Could Hobbes consistently object to popular rule as it works in contemporary democratic societies such as England and the United States? No. His conventional understanding implies that these governments are the right governments now. As long as there is relative concord among their subjects, these governments conduce to prosperity (chap. 30, 380 [177]). Hobbes's problem is not that he is inherently antidemocratic in the sense of wanting to block or override the interests of the masses. Indeed, he is among the most egalitarian of all political philosophers. In the great Anglo-Saxon tradition, he is arguably more egalitarian than Mill and certainly more egalitarian than Locke and Hume. He is antichaos. He thinks, perhaps wrongly as it turns out, that participation is likely to be chaotic. Hence he is antiparticipation and in that sense antidemocratic.

CONCLUDING REMARKS

Hobbes is perhaps the original discoverer of the fact that ordinary exchange relations are, in other words, a Prisoner's Dilemma problem unless there is some coercive power to back them up. Therefore, we need a powerful government. This is an exaggeration of the plausible case in any context that we actually know because we can often motivate cooperative exchange relations among those who interact repeatedly and who can come to recognize the benefits of continuing their exchange interactions. But if our exchange relations are restricted to the small numbers with whom we can
repeatedly interact, we still face a serious loss of opportunities that we could enjoy if we could guarantee reciprocal fulfillment of even isolated exchanges. Moreover, even in ongoing relationships, we cannot trust one another to abide by exchanges that involve very large values, so that our relationships will still be restricted. For example, to whom would you sell your house on a legally unenforceable contract to pay you a large monthly sum for the next twenty years?\textsuperscript{51} Hence even if we do not go all the way with Hobbes in thinking unregulated social interactions would be constantly murderous, we must agree with him that they would be radically poorer than what we could have under a properly functioning government.

It is precisely because he understands the Prisoner’s Dilemma that Hobbes finds government both necessary and problematic. But his understanding does not go so far as to cast the problem of creating or maintaining government as itself a Prisoner’s Dilemma. Creating and maintaining government is an important problem because it is the key to resolving quotidian Prisoner’s Dilemmas, not because it is itself a Prisoner’s Dilemma.

Consider one final objection to counting Hobbes a contractarian. The fundamental urge of contractarian political philosophers is to give a particular justification of the state, generally, indeed, to give a justification of a particular kind of state, the kind that the philosopher of the moment thinks we would have agreed to. The absolutist implications of the state of nature—that any extant working government is the best government for us now just because it avoids revolution and its costs—guts any government’s claim to legitimacy or rightness on any other basis than the facts of historical accident.\textsuperscript{52} It also guts contractarianism.\textsuperscript{53} Any need for consent to the kind of government, on the merits of that kind, is violated by Hobbes’s historicist justification of the rightness of any extant government. In actual practice, on Hobbes’s view, we today should want democracy not because it is especially good but primarily because we already have it. To borrow his distinction, we might also want it in foro interno because it is ideally good if it can be made to work. But it does not follow that if we do not already have democracy, we should therefore strive to put it in place in foro externo where, collectively, we lead our lives.

On this understanding, the commonplace claim that Hobbes is a proto-utilitarian is compelling. Hobbes justifies a government according to the benefits it offers relative to alternative governments. Other grounds for justification are irrelevant to him. Indeed, even the judgments of those subject to a government are irrelevant to him so long as their judgments do not lead them to disharmony. What is possibly left of contractarian thinking when one has such a view? And what contemporary contractarians would claim such Hobbesian parentage for their views?
NOTES


3. C. B. Macpherson, “Introduction” to Hobbes, Leviathan, 40; also see 43-44. Macpherson notes, however, that “Hobbes’s case does not rest on the possibility of men in a state of nature making a contract to establish political society” (p. 61). And he generally argues for a hypothetical, rather than an actual, interpretation of Hobbes’s supposed contractarian position (pp. 43-45). There is wide consensus on Macpherson’s view of Hobbes as a contractarian. See Don Herzog’s brief “story” on this consensus in Herzog, Happy Slaves (Chicago: University of Chicago Press, 1989), chap. 3. As noted later, Jean Hampton and Gregory Kavka do not fully join in the consensus.


8. David Gauthier, The Logic of Leviathan (Oxford: Oxford University Press, 1969). Gauthier calls the Prisoner’s Dilemma by name only in a footnote (p. 79n), perhaps because, on his own account, Gauthier seems to have discovered the Prisoner’s Dilemma only late in the writing of this book. See the preface to his Morals by Agreement (Oxford: Clarendon, 1986), v.


10. Kavka implicitly supports this view in the preponderance he gives to explicating Hobbes’s “descriptive theory” over his moral theory.


12. One’s person is, indeed, counted as part of one’s property by Hobbes (chap. 30, 382-83 [179]).

14. In an apt metaphor, Hobbes attributes part of the success of his understanding to the slow process of historical learning from experience, as we learn over the centuries how to build better, more lasting houses. "So, long time after men have begun to constitute Common-wealths, imperfect, and apt to relapse into disorder, there may, Principles of Reason be found out, by industrious meditation, to make their constitution (except by externall violence) everlasting" (chap. 30, 378 [176]).


16. To be consistent, Hobbes must suppose his sovereign will find it in his own interest to serve the people well, as he does suppose (chap. 18, 238-39 [94]).

17. The decision, by a 6 to 3 vote rendered February 22, 1989, exonerated Wisconsin state officials of personal liability for ignoring pleas to protect a child from child abuse. Chief Justice Rehnquist's majority opinion argued that the intent of the relevant constitutional clause was not to force the state to protect citizens from each other but to protect citizens from the state (*New York Times*, February 23, 1989, 1).


20. Gauthier argues that it is rational to adopt a disposition to cooperate with others who have adopted a like disposition. Gauthier calls this disposition "constrained maximization" (*Morals by Agreement*, chap. 6). This is to suppose one could simply will to bind oneself to the laws of nature. That would have been a remarkably easy solution for Hobbes because it would have let him end *Leviathan* soon after establishing the laws of nature. "Constrained maximization" was not in Hobbes's vocabulary, but it seems not grossly tendentious to say he rejects it outright.

21. "Usual" in the sense that they are the Prisoner's Dilemmas analyzed by most game theorists and played by most experimental games subjects.

22. Defection might be a dominant strategy for an individual who wants revolutionary change but wants to avoid the potential costs that revolutionary action might bring to individual participants. But these costs are what the extant regime can inflict, not the costs of creating a government de novo.

23. For further discussion of the establishment of such a convention, see Hardin, *Morality within the Limits of Reason*, 47-53.

24. In an earlier variant of part of his *Morals by Agreement*, Gauthier reconstructs Hobbes on an argument from convention (David Gauthier, "Thomas Hobbes: Moral Theorist," *Journal of Philosophy* 76 [October 1979]: 547-59). However, Gauthier is concerned with Hobbes's supposed moral theory rather than his political theory: He wishes to make of Hobbes's laws of nature a moral rather than a legal code. He also bases his account on an odd reading of Hobbes's admittedly vexed response to the Foole who queries whether it would not, in fact, be rational to violate one's covenants (chap. 15, 203-5 [72-73]).

25. There are elements of a convention theory of the maintenance of government in various past philosophers, most extensively in Hume and Adam Smith and, with clumsy missteps, in Austin.


27. One should not overstate the extent of Hobbes's understanding of the convention argument for the *maintenance* of political order. If the argument is sound, it suggests that power need not be so absolute as Hobbes insists it be. He says, "And whosoever thinking Sovereign Power too great, will seek to make it lesse; must subject himselfe, to the Power, that can limit
it; that is to say, to a greater" (chap. 20, 260 [107]). Against Hobbes's apparent logic, we can, through devices of convention, restrain one another, and varied parts of a government may do so as well. Indeed, contemporary democratic governments are strategically designed to separate powers in order to reduce overall power, especially capricious power.

28. See later note 36 for discussion of his exception of some of the nobility of his time.


30. Moreover, Hobbes implicitly rejects the invocation of God to give one an incentive to act properly in the state of nature, as for example, by fulfilling one's promise or covenant. He says that an oath makes no difference to one's obligation: "For a Covenant, if lawfull, binds in the sight of God, without the oath, as much as with it: if unlawfull, bindeth not at all; though it be confirmed with an oath" (chap. 14, 201 [71]). Since covenants are generally not lawful in the state of nature, they do not bind there in God's eyes even though sworn before God. By implication, God cannot be tricked into service to bring order to the state of nature by ruling over each individual there.


33. Among moral theorists, Gauthier is probably the major dissenter from this view. His *Morals by Agreement* is primarily a theory of why we would self-interestedly choose to act cooperatively in Prisoner's Dilemmas. However, his generalization of his theory of constrained maximization from two-person to large-number Prisoner's Dilemmas is by assertion rather than by demonstration (see Gauthier, *Morals by Agreement*, 130n).


36. The "virtually" covers an exception that seems to have bothered Hobbes. Under his fifth law of nature, Com普法ance, "a man by asperity of Nature, will strive to retain those things which to himselfe are superfluous, and to others necessary; and for the stubbornness of his Passions, cannot be corrected, is to be left, or cast out of Society, as combersome thereto" (chap. 15, 209 [76]). Herzog supposes that the nobility were the target of this worry because, contrary to Hobbes's ground principle for his laws of nature, they were not interested in seeking or enjoying peace but actually preferred strife in which they could achieve glory and honor (*Happy Slaves*, chap. 3).


40. The English title was *Philosophicall Rudiments Concerning Government and Society*.

41. Hobbes, *De Cive*, 2.5.11.
42. Hampton supposes power can be more or less instantly created because the newly elected sovereign can call on a small number of citizens to capture any lawbreaker, say, a contract breaker. This small group, or posse, faces, she says, not a Prisoner’s Dilemma but rather a “step good” problem in which everyone must cooperate or the endeavor fails. But each member of the posse would rather bear the expected cost of her participation in the posse than have the sovereign falter and return everyone to the state of nature. Hence each will cooperate and the lawbreaker will be captured and brought for punishment (Hampton, Hobbes, 176-86). This is a too labored story that, like Hobbes’s very problem of creating a sovereign out of the state of nature, sounds more like a story than a real problem or prospect. Kavka seems only somewhat less confident (Hobbesian Moral and Political Theory, 243-44, 254-66), but see David Braybrooke, “The Insoluble Problem of the Social Contract,” Dialogue 15 (March 1976): 3-37.

43. Herzog ruefully notes that this insight was not available to Hobbes (Herzog, Happy Slaves, chap. 3).

44. So good that he rightly merits the credit David Lewis gives him for discovering a proto-game-theoretic account of convention (Lewis, Convention, 3-4).

45. Hume, Treatise, bk. 3, pt. 2, sec. 3, 504-13 (especially the footnotes) and sec. 10, 553-67. Hume specifically labels the resolution a convention: “And this may properly enough be call’d a convention or agreement betwixt us, tho’ without the interposition of a promise; since the actions of each of us have a reference to those of the other, and are perform’d upon the supposition, that something is to be perform’d on the other part” (Treatise 3.2.2, 490).

46. Kavka, Hobbesian Moral and Political Theory, 181. This is an odd argument: that part of what makes our form of government right is that it originates in a right way. There was once an analogous view of what makes humans subject to morality: that they originate by the creation of and in the likeness of god. If we originated from some primordial slime, we apparently could not be subject to morality. Surely, any such argument from origins is eventually wrong, both for humans and for forms of government.

47. The injustice in this reading is that Hobbes was arguably merely defending whatever government was firmly in place against what he saw as the chaos of revolutionary fervor. He asserts, “That you will esteeme it better to enjoy your selves in the present state though perhaps not the best, then by wagging Warre, indeavour to procure a reformation for other men in another age, your selves in the meane while either kill’d, or consumed with age” (Thomas Hobbes, De Cive, “Preface,” 36). Similarly, he notes “that the estate of Man can never be without some incommodite 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 of the miseries, and horrible calamities, that accompany a Civill Warre” (Levathan, chap. 18, 238 [94]). Unfortunately, therefore, as Macpherson notes, “in immediate application [Hobbes’s work] supported the King against Parliament” (Macpherson, “Introduction,” 20).


50. Hardin, Collective Action, esp. chaps. 9 through 14; Axelrod, The Evolution of Cooperation.

51. See further, Hardin, Collective Action, 200-5.


53. Hampton presents a compelling Hobbesian account of why contractarianism cannot work as a general theory of the state and why Hobbes’s theory is not contractarian on usual meanings of that term. She then oddly concludes that we should nevertheless call her Hobbesian resolution a variant of contractarianism, as she chooses to do (Hampton, Hobbes, 279). It would contribute more to understanding to assert that it is not contractarian.
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ANNOUNCEMENT

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