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# Chapter 12 The Compatibility of Individual and Common Good in Hobbes's Philosophy



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#### 12.1 Introduction

If what is good for oneself and what is good for the political community conflict, which should take precedence? Some might deny that such a conflict exists: it is only an apparent tension that results from a mistake about what is really good for the individual. This, I take it, is widely understood to be the dominant position in ancient and medieval moral philosophy. The question of Thomas Hobbes's (1588–1679) stance on the matter is an interesting one to explore for at least two reasons. First, Hobbes is known for breaking away from ancient and medieval ideas of moral goodness, and he explicitly rejects the views of the "old Morall Philosophers". Second, different elements of Hobbes's philosophy suggest different relationships between individual and common good. On the one hand, we

<sup>&</sup>lt;sup>1</sup> See the contributions in parts one and two of this volume.

 $<sup>^2</sup>$ Leviathan, chapter 9, 150 [47]. See also, e.g., Leviathan, chapter 15, 242 [80]; De cive 'Epistle Dedicatory' [7]; De cive 3.32. For a recent exploration of Hobbes's innovations in moral philosophy, see Olsthoorn 2020, 243. By contrast, for a reading of Hobbes as a traditional virtue ethicist, see David Boonin-Vail 1994. Henceforth the references to Hobbes's texts are given in the following forms: DCv = De cive (ed. Warrender 1983; the English translation is On the Citizen, ed. Tuck, trans. Silverthorne 1998); DCp = De corpore (ed. Molesworth 1839a); DH = De homine (ed. Molesworth 1839b; the English translation is Man and Citizen, ed. Gert 1991); EL = The Elements of Law (ed. Tönnies 2007); L = Leviathan (ed. Malcolm 2012), chapter number and page number (for ease of reference in other editions, the page numbers of the 1651 edition follow in square brackets); LL = the Latin Leviathan, included in the Malcolm edition.

can see Hobbes as an example of a figure in the history of philosophy who prioritises individual good in his moral and political philosophy: he grounds the political community in each individual's desire for "some *Good to Himselfe*". On the other hand, the aim of Hobbes's civil philosophy is to persuade citizens to prioritise the maintenance of the commonwealth over the pursuit of individual advantage. Indeed, since his strategy is usually to argue that there is no real benefit to be gained by actions that are bad for the political community – as is the case, for example, with his treatment of disobedience to the law motivated by a desire for salvation – one might wonder if Hobbes also denies that individual and common good conflict, when both are correctly understood. This chapter investigates the extent to which the latter position can be attributed to Hobbes.

## 12.2 Apparent Conflict Between Individual and Common Good in *Leviathan*

Two well-known passages in *Leviathan* (1651; Latin edition 1668<sup>4</sup>) suggest that, for Hobbes, individual and common good certainly can conflict. Consider first a passage in which he explains why creatures such as "Bees, and Ants" do not need political power in order to "live sociably one with another". Hobbes asserts that:

amongst these creatures, the Common good [bonum Publicum] differeth not from the Private [bonum Privatum]; and being by nature enclined to their private, they procure thereby the common benefit [bonum Commune] [...] the agreement of these creatures is Naturall; that of men, is by Covenant only, which is Artificiall: and therefore it is no wonder if there be somewhat else required (beside Covenant) to make their Agreement constant and lasting, which is a Common Power, to keep them in awe, and to direct their actions to the Common Benefit [bonum commune].

For some creatures, then, there is a natural equivalence between common and private good, but this is not the case for humans: human societies require the establishment of a sovereign authority in order to work towards the common good.

The second passage can be found in chapter 19 of *Leviathan*. When comparing monarchy with aristocracy and democracy, Hobbes addresses the potential for conflict between the private good of a monarch or a member of a sovereign assembly, and the good of the commonwealth:

And though he be carefull in his politique Person to procure the common interest; yet he is more, or no lesse carefull to procure the private good of himselfe, his family, kindred and friends [& quanquam in Persona sua Politica, Civitati studeat, non tamen ideo ad rem

<sup>&</sup>lt;sup>3</sup>L 14 (ed. Malcolm 2012, 202 [66]).

<sup>&</sup>lt;sup>4</sup>The Latin *Leviathan* is a translation by Hobbes, which also includes a number of changes to the English edition.

<sup>&</sup>lt;sup>5</sup>L 17 (ed. Malcolm 2012, 258–61 [86–87]). Compare EL 1.19.5 (ed. Tönnies 2007) and DCv 5.5 (ed. Tuck 1998; Warrender 1983). In DCv, in place of the claim that the common power directs actions to the bonum commune, we read that it "gives[s] the security required for the practice of natural justice [iustitiae naturalis]".

familiarem suam, & cognatorum, & amicorum minus respicere]; and for the most part, if the publique interest [Bonum Publicum] chance to crosse the private [privatum], he preferrs the private: for the Passions of men, are commonly more potent than their Reason. From whence it follows, that where the publique and private interest [Bonum Publicum & Privatum] are most closely united, there is the publique [Bonum Publicum] most advanced.

Hobbes then argues in favour of monarchy by claiming that in such a regime "the private interest is the same with the public [*In Monarchia autem Bonum Publicum & Privatum idem est*]": a "rich", "glorious", and "secure" monarch needs subjects who are not "poore", or "contemptible", or "weak".<sup>6</sup>

Two features of these passages require exploration. The first is the variety of terminology used in English and Latin: Hobbes refers to "common good", but also "common benefit", "common interest", and "publique interest", in contrast to a "private good" and a "private interest". The second is the implicit idea – which, I shall suggest, is present in both passages – that the conflict between "private" and "common" good in human societies is only an apparent conflict , since it results from mistaken conceptions of where one's real good lies.

The term "common good" is not frequently used in Hobbes's work, making it difficult to draw firm conclusions about how he uses it and related terminology. Nevertheless, the first passage suggests that Hobbes uses "common good" and "common benefit" as equivalents, translated by *bonum publicum* and *bonum commune* respectively. In the second passage, Hobbes opposes "common" or "publique interest" with both "private good" and "private interest". "Publique interest" is translated by *bonum publicum*, which suggests that Hobbes did not intend public interest here as a distinct concept from common good. Although the Latin similarly uses *bonum privatum* to translate both "private good" and "private interest", it is significant that in English Hobbes chose to equate the private good of the monarch that can "cross" the common good with a private *interest*, since the term carried negative connotations, implying a personal bias or a desire that follows a transient passion rather than reason. As Hobbes writes, the monarch will likely prefer the

<sup>&</sup>lt;sup>6</sup>L 19 (ed. Malcolm 2012, 288–89 [95–96]).

<sup>&</sup>lt;sup>7</sup> In *Leviathan*, "common good" appears only three times: at *L* 17, 24, and 33 (ed. Malcolm 2012, 258 [86], 388 [128], and 606 [206], respectively). There are four uses of "common benefit", four of "publique good", and two of "common interest".

<sup>&</sup>lt;sup>8</sup>A more direct translation of "common benefit" would be *utilitas commune*, and indeed this is the term Hobbes uses to translate "common benefit" earlier on the same page (*L* 17 [ed. Malcolm 2012, 258–59]: "expedient for the common benefit"). A passage in *The Elements* could suggest that Hobbes does, at least on one occasion, draw a distinction between "common good" and "common benefit", such that the former refers to the good pursued by a commonwealth, and the latter to the end pursued by subordinate bodies (*EL* 1.19.9 [ed. Tönnies 2007]). Cf. Sect. 12.4 below.

<sup>&</sup>lt;sup>9</sup> "Common Interest" appears once more in *Leviathan*, translated by *res communis* (*L* 22 [ed. Malcolm 2012, 359–61 [118]]), and "publique interest" does not occur again. Neither term appears in *The Elements*. The language of "interest" arose in sixteenth and seventeenth-century vernacular languages and is a distinctive feature of *Leviathan*: see Karstadt 2016, 105–28.

<sup>&</sup>lt;sup>10</sup> See Karstadt 2016, 115–19. Hence, as Karstadt writes, it would "be wrong to equate self-preservation with self-interest" for Hobbes" (Karstadt 2016, 113).

private over the public interest because the "Passions of men, are commonly more potent than their Reason". In preferring the private interest, Hobbes implies, the monarch is not acting rationally. Since the private good in this example is desired against reason, then we might doubt whether it is really good at all.

If it is indeed the case that, for Hobbes, what is really good for an individual coincides with that that which it is rational for it to desire, then the second passage does not identify a case of conflict between individual and common good after all, but rather a conflict between the monarch's apparent and real good. In the same way, the first passage turns out not to present a conflict between what is really good for an individual and the common good. Recall that Hobbes suggests that, in the case of bees and ants, the agreement of the common and private good is "natural", whereas humans require political power to "direct their actions to the Common Benefit". Hobbes consistently claims that political power is a remedy for the precariousness of human rationality, understood particularly in terms of our tendency to be distracted by our immediate desires rather than focusing on the longer-term consequences of our actions. If humans could be relied upon to think long-term, there would be no need for the sovereign's sword to keep us "in awe". Therefore the common benefit to which we are directed in the commonwealth is that good which, when we think rationally, we acknowledge as our own. As Hobbes puts it:

all men are by nature provided of notable multiplying glasses, (that is their Passions and Self-love,) through which, every little payment appeareth a great grievance; but are destitute of those prospective glasses, (namely Morall and Civill Science,) to see a farre off the miseries that hang over them, and cannot without such payments be avoyded.<sup>11</sup>

For this reason, Hobbesian humans need the commonwealth in order to realise their own real good. This thought would be familiar to many of Hobbes's predecessors. In order to make the case for its presence in Hobbes's work, and consider its Hobbesian flavour, we first need to examine in more detail his account of "good" and its relationship to "reason".

#### 12.3 Goods, Real and Apparent

In *The Elements of Law* (1640), Hobbes explains that the term "good" is used in the following way:

Every man  $[\ldots]$  calleth that which pleaseth, and is delightful to himself, GOOD; and that EVIL which displeaseth him.  $^{12}$ 

Since, for Hobbes, when something pleases us we are said to have an "appetite" or desire for it, and when something displeases us we are said to have an "aversion" to it, this statement in *The Elements* is equivalent to his later claim in *Leviathan*:

<sup>&</sup>lt;sup>11</sup>L 18 (ed. Malcolm 2012, 282 [94]).

<sup>&</sup>lt;sup>12</sup> EL 1.7.3 (ed. Tönnies 2007).

whatsoever is the object of any mans Appetite or Desire; that is it, which he for his part calleth *Good*: And the object of his Hate, and Aversion, *Evill*. <sup>13</sup>

In both works, Hobbes emphasises that there is no such thing as "simply and absolutely" good, "nor any common Rule of Good and evill, to be taken from the nature of the objects [of appetite or aversion] themselves; but from the Person of the man (where there is no Commonwealth;) or, (in a Commonwealth,) from the Person that representeth it". He denial of any inherent property of goodness in the world means that good is always good *for* some desiring creature. "[E]ven the goodness which we attribute to God Almighty", Hobbes writes in *The Elements*, "is his goodness to us". He had a supplementation of the supplem

This account of the good is backed up with a particular bodily account of desire formation. All desires are generated by impacts on "vital motion". <sup>16</sup> We learn that Appetites or aversions arise when the vital motion is "help[ed]" or "hinder[ed]" by an object. 17 That object can either be present – as in the case of the warmth from a fire causing pleasure on a cold day – or imagined, as when stories about the fires of hell cause fear. In both cases, the object has a positive or negative effect on the motion of the body, causing us to desire or to fear it.<sup>18</sup> Because human bodies differ, says Hobbes, appetites (and therefore ideas of "good") are highly variable: "every man differeth from other in constitution" so "they differ also one from another concerning the common distinction of good and evil". 19 But this variability of appetites does not mean that there are no goods shared by all humans. Since human bodies have features in common, there are desires that all human beings will have if their appetites are not distorted by passion, and hence there are objects that all humans rightly call good. Those who consider this aspect of Hobbes's theory sometimes refer to it as an "Aristotelian" element of his philosophy. 20 Regardless of whether this label is appropriate, it is clear that Hobbes does not actually think that "whatsoever" a man desires is correctly called good: some things that humans desire are real goods, some are not.

When Hobbes specifies some of the things that are good for all humans, he begins with self-preservation, the *bonum primum* that has been "arranged by nature", as he puts it in *De homine* (1658):

<sup>&</sup>lt;sup>13</sup>L 6 (ed. Malcolm 2012, 80 [24]).

<sup>&</sup>lt;sup>14</sup>L 6 (ed. Malcolm 2012, 80–82 [24]). See also EL 1.7.3 (ed. Tönnies 2007).

<sup>&</sup>lt;sup>15</sup>EL 1.7.3 (ed. Tönnies 2007).

<sup>&</sup>lt;sup>16</sup> Vital motion is identified in later work with the circulation of the blood (*DCp* 25.12 [ed. Gert 1991; Molesworth 1839a]), but Hobbes is happy to leave the anatomical details to others.

<sup>&</sup>lt;sup>17</sup>EL 1.7.1 (ed. Tönnies 2007); L 6 (ed. Malcolm 2012, 82 [25]).

<sup>&</sup>lt;sup>18</sup> For an account of how Hobbes understands imagination to shape our desires, which includes the example of fires of hell, see Douglass 2014, 126–47.

<sup>&</sup>lt;sup>19</sup>EL 1.7.3 (ed. Tönnies 2007). See also L 6 (ed. Malcolm 2012, 80 [24]).

<sup>&</sup>lt;sup>20</sup> For example, Hampton 1992, 339.

Now the first of the goods for each is self-preservation [Bonorum autem primum est sua cuique conservatio]. For it has been arranged by nature that all desire that things go well for themselves [Natura enim comparatum est, ut cupiant omnes sibi bene esse]. In order for them to have the capacity for this, it is necessary to desire life [vita], health [sanitas], and further, insofar as it can be done, security of future time [securitas futuri temporis].<sup>21</sup>

Note that this passage suggests Hobbes's notion of self-preservation does not refer simply to staying alive since the desire for life, along with health and security, are presented as necessary means to the end of conserving oneself. The significance of this is apparent in Hobbes's treatment of martyrdom (i.e. the forfeiting of one's life by disobeying one's sovereign on religious grounds). Martyrs, according to Hobbes, desire salvation, and "anyone in his right mind [mentis compos]" would desire this.<sup>22</sup> Where martyrs go wrong, in Hobbes's account, is in thinking that martyrdom is the necessary means to achieve salvation. In almost all cases, it is not.<sup>23</sup> Therefore, although a would-be martyr sees martyrdom as good, they are (almost always) mistaken.

For Hobbes, all human motives are desires (or their opposite, aversions), and desires and aversions can also be called "passions". <sup>24</sup> Two things follow from this. First, reason cannot be a separate motivational force within human minds. Second, there are grounds for saying that within Hobbesian terminology, human beings always act on passions. While Hobbes sometimes uses the traditional opposition between reason and passion to refer to different motives (as in the passage from *Leviathan* chapter 19, quoted in section two above), the distinction is more accurately captured by the terms rational and irrational desires. <sup>25</sup> Rational desires are aimed at objects likely to be conducive to an agent's conservation; irrational desires are aimed at objects that are not likely to be conducive to an agent's conservation.

We can refer to the object of a rational desire as a real good, and the object of an irrational desire as an apparent good.<sup>26</sup> Although Hobbes makes little use of the terms real and apparent good, further justification for applying them to his philosophy in the way outlined above can be found in the following definition from *De homine*:

<sup>&</sup>lt;sup>21</sup>DH 11.6 (ed. Gert 1991).

<sup>&</sup>lt;sup>22</sup>DCv 18.14 (ed. Tuck 1998).

<sup>&</sup>lt;sup>23</sup> See, for example, L 42 (ed. Malcolm 2012, 784–88 [271–73]). On Hobbes's arguments against martyrdom, see Chadwick 2018.

<sup>&</sup>lt;sup>24</sup> Chapter six of *Leviathan* (ed. Malcolm 2012, 78 [23]) includes an investigation of "the Interiour Beginnings of Voluntary Motions, commonly called the PASSIONS".

<sup>&</sup>lt;sup>25</sup>These terms are not Hobbes's own. Hobbes reserves "irrational" to refer to the lack of any capacity for ratiocination, such as in the case of "irrationall creatures" (for example, *L* 17 [ed. Malcolm 2012, 260]). *L* 16 (ed. Malcolm 2012, 248) refers to "Children, Fooles, and Mad-men that have no use of reason" and "Irrational" is the accompanying marginal note). We might perhaps instead speak of a desire that is "against reason" (*contra Ratio*), following *L* 6 (ed. Malcolm 2012, 92–93 [28]), for example.

<sup>&</sup>lt;sup>26</sup>Hence I agree with Bernard Gert that, for Hobbes, "a real good is not merely that which one desires but that which is rationally desired", but I disagree with his claim that Hobbesian reason has "its own goal". See Gert 2010, 53, 72.

[G]ood (like evil) is divided into *verum* and *apparens* [...] [I]nexperienced men [homines imperiti] that do not look closely enough at the long-term consequences of things, accept what appears to be good, not seeing the evil annexed to it; afterwards they experience damage. And this is what is meant by those who distinguish good and evil as *verum* and apparens.<sup>27</sup>

The process of thinking ahead to the consequences of acting on our desires is what Hobbes calls deliberation.<sup>28</sup> If, when we deliberate, we "do not look closely enough at the long-term consequences of things", we end up pursuing only an "apparent good". Better informed deliberation would have revealed to us that the object of our desire was not really good at all as it has undesirable consequences. At first glance, this formulation of real and apparent good seems only to apply to cases in which something seems pleasant in the moment but has ill effects in the longer term. Think of drinking too much wine: it might appear good at the time, but only if one ignores the long-term effects. The case of martyrdom is different since by choosing to accept hideous punishments for the sake of salvation, martyrs certainly were focusing on the long term. However, I suggest that it is in keeping with Hobbes's arguments to extend the definition of apparent good to include not only cases in which we are inattentive to the long-term consequences of things but also those in which we reason incorrectly about what the consequences will be. Martyrs, Hobbes thinks, are mistaken about what God requires of them – they do not realise that salvation requires obedience to a sovereign – and they are mistaken about human nature: they believe, for example, that individual conscience has access to God's law.<sup>29</sup> These mistakes can be remedied through correct reasoning (in short, the reasoning Hobbes sets out in his philosophy), hence martyrdom is only an apparent good.

One might object that the passage above speaks of "inexperienced men" [homines imperiti] who fail to see the bonum verum, suggesting that it is experience, rather than reason, that reveals one's real good. However, the use of imperiti is consistent with Hobbes's particular understanding of reason as an acquired skill that requires practice. Consider the following passage from Leviathan. After discussing a number of mental abilities that fall under the umbrella of "imagination", Hobbes writes:

There is no other act of mans mind, that I can remember, naturally planted in him, so, as to need no other thing, to the exercise of it, but to be born a man, and live with the use of his five Senses. Those other Faculties, of which I shall speak by and by, and which seem proper to man onely, are acquired, and encreased by study and industry; and of most men learned by instruction, and discipline; and proceed all from the invention of Words, and Speech.<sup>30</sup>

<sup>&</sup>lt;sup>27</sup>DH 11.5 (ed. Gert 1991).

<sup>&</sup>lt;sup>28</sup>L 7 (ed. Malcolm 2012, 98 [30]).

<sup>&</sup>lt;sup>29</sup> For details and textual references, see Chadwick 2018.

<sup>&</sup>lt;sup>30</sup>L 3 (ed. Malcolm 2012, 44–47 [11]).

Reason is one such faculty that is "proper to man onely", developed through "study and industry", "instruction, and discipline". It seems clear that men who lack this training are *imperiti* (unskilled, inexperienced). Indeed, in the Latin *Leviathan*, Hobbes uses *imperiti* to translate his "unpractised men" in the following passage:

as in Arithmetique, unpractised men [*imperiti*] must, and Professors themselves may often erre, and cast up false; so also in any other subject of Reasoning, the ablest, most attentive, and most practised men, may deceive themselves, and inferre false Conclusions.<sup>31</sup>

Thus, it is in keeping with Hobbes's understanding of reason to state that the inexperienced man's desire for an apparent good is irrational, whereas desires for real goods are rational. A person who reasons correctly about the long-term consequences of their actions desires only real goods.

Hobbes seeks to convince his readers that uniting into a commonwealth is a real good for all individuals. Life, health and security are necessary means to self-preservation and therefore real goods. Security for human beings requires peace, which is only possible in a commonwealth. Peace, then, is a real individual good for all humans who reason correctly about the best means to conserve themselves.<sup>32</sup>

#### 12.4 Common Good

Having considered the distinction between real and apparent individual goods, I turn now to develop an account of Hobbes's notion of "common good". It is in *De homine* that Hobbes gets closest to a definition:

There can be a common good [bonum commune], and it can rightly be said of something, it is commonly a good, that is, useful to many, or good for the commonwealth [multis utile, vel civitate bonum]. At times one can also speak of a good for everyone [omnibus bonum], like health.<sup>33</sup>

We have here, then, three concepts. The first two – that which is "useful to many" and that which is "good for the commonwealth" – can both "rightly" be called common goods. The third – that which is "good for everyone", appears to be something different: as the example of health suggests, these are ends desired by all individuals

<sup>&</sup>lt;sup>31</sup>L 5 (ed. Malcolm 2012, 66–67 [18].

<sup>&</sup>lt;sup>32</sup>According to Jean Hampton 1992, 336, Hobbes thinks peace is "actually perceived by all men as a good". This is based on Hobbes's remark in chapter 15 of *Leviathan* that "all men agree on this, that Peace is Good". However, the agreement Hobbes refers to here is not an empirical fact (that all men always perceive peace as good). Instead, as is clear from the full quotation – "*And consequently* all men agree on this, that Peace is Good" (*L* 15 [ed. Malcolm 2012, 242 [80]], my emphasis) – acknowledging the goodness of peace is the logical consequence that follows from the premises of Hobbes's moral philosophy, which he has recapped in the same paragraph. It is by accepting Hobbes's argument (which he describes as "the true and onely Moral Philosophy") that all men would regard peace as a good. A man who embarks on war in the name of religion, for example, will not call peace good if war is the price of his salvation.

<sup>&</sup>lt;sup>33</sup>DH 11.4 (ed. Gert 1991).

regardless of social circumstances. In other words, they are goods that relate only to individual bodies rather than collectives. The distinction between that which is useful to many and that which is good for the commonwealth is drawn according to the kind of collective in question. We saw earlier that Hobbes uses *bonum commune* and *bonum publicum* as equivalents. However, this equivalence is only applicable when the *bonum commune* under discussion is a "good for the commonwealth", given that the "publique", for Hobbes, pertains to the state. The other kind of common good cannot be understood as a public good since it refers to the commonly desired end of a non-state association.

As an example of the latter, consider the following passage from *De cive*, which refers to the common good of a group that exists in the absence of a state:

[A]n accord [consensio] between several parties, i.e. an association [societas] formed only for mutual aid, does not afford to the parties to the accord or association the security which we are looking for, to practise, in their relations with each other, the laws of nature [...] (An accord of several persons [...] consists only in their all directing their actions to the same end and to a common good [bonum commune].) But something more is needed, an element of fear, to prevent an accord on peace and mutual assistance for a common good from collapsing in discord when a private good [bonum suum] subsequently comes into conflict with the common good.<sup>34</sup>

We might imagine that the common good of such an association (i.e. the end desired by all members) is to protect an area of land on which the members live or to raid the supplies of a neighbouring territory. Due to the dynamics of Hobbes's state of nature – which foster mutual fear and preemptive strikes – such temporary alliances cannot provide long-term stability, and hence one's own conservation might be better served by betraying or abandoning the alliance.<sup>35</sup> Unlike when we considered common/public good in section two, in these cases one's own (real) good can conflict with a common good.

To make the case that real individual and common good do not conflict for Hobbes, then, we should demonstrate a lack of conflict between what is good for the individual and what is "good for the commonwealth". We know that real individual goods are objects of an individual's rational desires. Similarly, common goods are objects of the desires of the sovereign who, according to Hobbes's political

<sup>34</sup> DCv 5.4 (ed. Tuck 1998).

<sup>&</sup>lt;sup>35</sup> See, for example, *L* 13 (ed. Malcolm 2012, 190 [61]): "And from this diffidence of one another, there is no way for any man to secure himselfe, so reasonable, as Anticipation; that is, by force, or wiles, to master the persons of all men he can, so long, till he see no other power great enough to endanger him: And this is no more than his own conservation requireth, and is generally allowed. Also because there be some, that taking pleasure in contemplating their own power in the acts of conquest, which they pursue farther than their security requires; if others, that otherwise would be glad to be at ease within modest bounds, should not by invasion increase their power, they would not be able, long time, by standing only on their defence, to subsist. And by consequence, such augmentation of dominion over men, being necessary to a mans conservation, it ought to be allowed him."

<sup>&</sup>lt;sup>36</sup>From now on, I use "common good" only to refer to "good for the commonwealth", i.e., the "publique good".

theory, "beareth the person" of the commonwealth.<sup>37</sup> As we saw in an earlier quotation from *Leviathan*, the "Person that representeth" the commonwealth decides "the common Rule of Good and Evill".<sup>38</sup> And even more clearly later in *Leviathan*, Hobbes writes that "Not the Appetite of Private men, but the Law, which is the Will and Appetite of the State is the measure [of public good]".<sup>39</sup>

Here Hobbes seems to be at his most radical. Whereas previous thinkers held that the common good provided the normative foundation for political practice, Hobbes appears to have things the other way round: what is good for the state gives content to the concept of the common good. Yet the difference becomes much less clear when we consider that, just as there are real goods for the individual, there may be real goods for the commonwealth. If so, then even for Hobbes there is a standard of common good that abides independently of the desires of the holder of sovereign power.

How then are "real common goods" to be established? If we recall that "the first of the goods for each is self-preservation" in the case of individual human bodies, then, drawing on the analogy Hobbes makes between the natural body of man and the artificial body of the state, we can say that the first good of the commonwealth is also to preserve itself.<sup>41</sup> From this, it follows that the things that are found, after reasoned deliberation, to be conducive to the preservation of the commonwealth are real common goods. Several commentators have identified peace as a common good, and sometimes specifically as a "real" common good, in Hobbes theory.<sup>42</sup> Whether peace is best characterised as one of those goods that is conducive to the preservation of the commonwealth, or as the very preservation of the commonwealth itself - the "first of the goods" - is debatable. According to Hobbes, "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."43 This condition is different from a mere "Cessation of Armes". 44 Since peace is only to be found, for Hobbes, when humans are united into a commonwealth, the preservation of the commonwealth is the preservation of peace.

For Hobbes, peace is achieved by conduct that conforms with the laws of nature. As he puts it in the Latin *Leviathan*: "it cannot be denied that the necessary means to peace are good. And those means are *Justice*, *Gratitude*, *Modesty*, *Equity*, & the rest of the Laws of Nature". 45 It is the sovereign, of course, who provides the

<sup>&</sup>lt;sup>37</sup>L 16 (ed. Malcolm 2012, 248 [82]).

<sup>&</sup>lt;sup>38</sup>*L* 6 (ed. Malcolm 2012, 82 [24]).

 $<sup>^{39}</sup>L$  46 (ed. Malcolm 2012, 1090 [376]). The phrase 'Publique Good' appears in the marginal gloss of the relevant passage.

<sup>&</sup>lt;sup>40</sup>I am grateful to Heikki Haara for suggestions on this point.

<sup>&</sup>lt;sup>41</sup>L, "The Introduction" (ed. Malcolm 2012, 16 [1]).

<sup>&</sup>lt;sup>42</sup> See, for example, Hampton 1992, 336.

<sup>&</sup>lt;sup>43</sup>L 13 (ed. Malcolm 2012, 192 [62]).

<sup>&</sup>lt;sup>44</sup>L 18 (ed. Malcolm 2012, 273 [91]).

<sup>45</sup> LL 15 (ed. Malcolm 2012, 243).

authoritative interpretation of these laws within a commonwealth: subjects possess no right of private judgement of good and evil.<sup>46</sup> However, if we acknowledge peace as the common good, to which those laws are means, then it remains the case that there are things that are conducive to peace and things that are not, and only those that are conducive to peace are real goods.

It should further be acknowledged that the absence of war, according to Hobbes, brings more than mere security. In a commonwealth, we live not only "securely [secure]" but also "happily [beate], and elegantly [ornate]".<sup>47</sup> The picture that Hobbes paints of life in a commonwealth compared to a state of nature (and indeed the picture on the title page of the 1642 De cive) makes this clear. The advantages of civil society are expressed in Hobbes's account of what is lacking in a state of nature:

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. 48

Life inside a commonwealth, by contrast, is a distinctively human life: that is, one in which life is elevated beyond such a "brutish" state of existence through the collective development and exercise of human abilities. As Hobbes writes in *De homine*, "though among certain animals there are seeming polities, these are not of sufficiently great moment for living well [bene vivendum]".<sup>49</sup>

When viewed from this angle, life in the Hobbesian commonwealth takes on a familiar Aristotelian flavour: political society exists for the sake of a distinctively human good life. Certainly, this aspect is not always emphasised by Hobbes. Further, unlike Aristotle, Hobbes does not grant virtue any intrinsic, non-instrumental value in the good life. <sup>50</sup> But it does mean that the commonwealth is not merely a necessary evil to which the rational Hobbesian individual must consent in order to be left alone to achieve his own good. Instead, it enables the attainment of goods that require human cooperation, thus strengthening the rational desire to maintain the commonwealth and weakening the irrational desire for dominion over others. <sup>51</sup>

<sup>&</sup>lt;sup>46</sup> See particularly L 18 and 29 (ed. Malcolm 2012, 270 [90], and 502 [168]).

<sup>&</sup>lt;sup>47</sup>DH 10.3 (ed. Gert 1991).

<sup>&</sup>lt;sup>48</sup>L 13 (ed. Malcolm 2012, 192 [62]).

<sup>&</sup>lt;sup>49</sup>DH 10.3 (ed. Gert 1991).

<sup>&</sup>lt;sup>50</sup> Krom 2011, 89–90. Krom, however, goes too far in claiming that the rational Hobbesian citizen merely needs to have a reputation for virtue (i.e., for action in accordance with the laws of nature), rather than actually acting virtuously. If Hobbesian agents rationally desire the benefits of society that I have outlined, they have reason to desire the maintenance of that society.

<sup>&</sup>lt;sup>51</sup> For Hobbes, those who seek dominion over others rather than uniting into a commonwealth are irrational because they are "vainly glorious, and hope for precedency and superiority above their fellows, not only when they are equal in power, but also when they are inferior" (*EL* 1.14.3 [ed. Tönnies 2007]). In other words, they fail to acknowledge that no human is sufficiently powerful to

## 12.5 The Compatibility of Real Individual Good with Real Common Good

The laws of nature, then, as the means to peace – which brings not only the possibility of a long life but also the benefits of human cooperation that make that life worth living – are real goods for both the individual and the commonwealth. At this fundamental theoretical level, there is no conflict between real individual and common good, between what is good for the individual and what is good for the state. This is reflected in Hobbes's descriptions of the laws of nature both as means to peace, and as means to preserving one's life.<sup>52</sup> S. A. Lloyd makes a compelling case for understanding the Hobbesian laws of nature as rules that secure the common good.<sup>53</sup> On Lloyd's reading, however, the laws fulfil this function rather than securing "the self-interest (including self-preservative interest) of the agent who follows them".<sup>54</sup> This is because "Many agents in Hobbes's world stand to fare better by destabilizing the peace than by adhering to the Laws of Nature that promote it": examples include "men ambitious of military command or other office, potent or popular men whom others will protect" and "religious zealots". 55 However, the desires of such individuals would not, on Hobbes's account, be rational, and therefore the objects they call good cannot be real goods. Those who want to make their fortune or reputation by war, and those who rely on the current goodwill of others are thinking short-term: they lack the "prospective glasses [...] to see a farre off the miseries that hang over them" (temporary alliances cannot be relied upon for long-term safety, for example). As for the religious zealots, as discussed above, at best they needlessly risk or give up their earthly life out of a mistaken opinion of what God requires of them, and at worst they forfeit salvation by violating what is, for Hobbes, a fundamental requirement of (Christian) faith: obedience to the sovereign's law.

Hence Hobbes's laws of nature unite what is really good for the individual with the good of the commonwealth. Nevertheless, Hobbes does acknowledge situations

be able to ensure their safety against others. See also DCv 1.4 (ed. Tuck 1998; Warrender 1983); L 13 (ed. Malcolm 2012, 188–90 [60–61]).

<sup>&</sup>lt;sup>52</sup> See, for example *EL* 1.15.1 (ed. Tönnies 2007): "There can therefore be no other law of nature than reason, nor no other precepts of NATURAL LAW, than those which declare unto us the ways of peace, where the same may be obtained, and of defence where it may not"; *DCv* 2.1 (ed. Tuck 1998): "The *Natural law* therefore (to define it) is the Dictate of right reason about what should be done or not done for the longest possible preservation of life and limb"; *L* 14 (ed. Malcolm 2012, 198 [64]): "A LAW OF NATURE [...] is a Precept, or generall Rule, found out by Reason, by which a man is forbidden to do that, which is destructive of his life, or taketh away the means of preserving the same; and to omit, that, by which he thinketh it may best be preserved"; *LL* 14 (ed. Malcolm 2012, 199): "A LAW OF NATURE [...] is a Precept, or generall Rule, found out by Reason, by which a man is forbidden to do that, which will seem to him to tend to his disadvantage" (the translation is Malcolm's).

<sup>&</sup>lt;sup>53</sup>Lloyd 2009, chapter 3

<sup>&</sup>lt;sup>54</sup> Lloyd 2009, 114. Here I take it that, for Lloyd, individual "self-interest" is the same as "good for an individual" (cf. section two above on the term "interest").

<sup>55</sup> Lloyd 2009, 121.

in which the two goods diverge. However, this divergence does not amount to a true conflict between individual and common good. This is because, in Hobbes's view, nothing that is really good for the individual – that is, no action in accordance with a rational desire – can be bad for the commonwealth. Only irrational desires, whether on the part of the individual or the sovereign, are a threat to the preservation of the state.

Consider the following example. According to Hobbes, no one is obliged by natural law to refrain from defending themself against "Death, Wounds, and Imprisonment", nor to "accuse ones selfe, without assurance of pardon", since to do so would not serve the end of one's preservation.<sup>56</sup> Since natural laws are "dictates of Reason", an action that is not against natural law is not against reason.<sup>57</sup> Hence, the criminal's desire to avoid life-threatening punishment is rational, but it does not align with the rational desire of the sovereign to enforce obedience to the law. Nevertheless, this is not a case in which the individual good conflicts with the common good because the existence of the commonwealth is not threatened by the resistance of the person concerned. Hobbes notes that prisoners are escorted by guards, so the law will nevertheless be upheld.

If, however, sufficient numbers of citizens are inclined to rally to the prisoner's cause, or if sufficient numbers are condemned and thus desire to resist, then such cases might indeed become a threat to order. This is one reason why religious disagreement was a particular concern for Hobbes since it provided a cause behind which many citizens were prepared to rally. Since religiously motivated disobedience is (almost) never rational, according to Hobbes's understanding, then the conflict is between an irrational desire and the common good. In other cases, if such large numbers of citizens were condemned by the sovereign's laws that their own resistance or the resistance of their supporters would threaten the peace, then it calls into question whether the law itself was directed towards the common good: if not, the conflict would be between rational individual desires and an irrational desire of the sovereign. In neither case, then, is there conflict between real individual and real common good.

Hobbes proceeds to give a further example, which arguably draws on a broader conception of the *bonum primum* than the mere preservation of one's own life: one is not obliged to accuse those by "whose Condemnation a man falls into misery; as of a Father, Wife, or Benefactor".<sup>58</sup> Yet the maintenance of the commonwealth surely requires honesty and vigilance amongst the citizens. In this case, we must also conclude that the lack of obligation to bring about the punishment of those close to oneself is understood to be insufficient to threaten the commonwealth.

In *De cive*, Hobbes provides a different example of a case in which one's real good is not served by obedience to the sovereign's laws. He writes that a man is not

<sup>&</sup>lt;sup>56</sup>L 14 (ed. Malcolm 2012, 214 [69–70]).

<sup>&</sup>lt;sup>57</sup>L 14 and 15 (ed. Malcolm 2012, 198 [64], and 242 [80]).

<sup>&</sup>lt;sup>58</sup>L 14 (ed. Malcolm 2012, 214–15 [70]). *LL* replaces "Benefactor" with "other kith and kin [aliique Necessarii]".

"obliged to kill a parent, whether innocent or guilty and rightly condemned; since there are others who will do it, if ordered to do so, and a son may prefer to die rather than live in infamy and loathing". <sup>59</sup> Clearly the same justification applies here: there are other executioners, the commonwealth will not suffer, so it is not necessary that the son perform the act.<sup>60</sup> What is curious about this example is the explanation of why "a son may prefer to die": it is specifically that death is preferable to living "in infamy and loathing". Here once again it is the goal of living well rather than merely staying alive that determines which actions are considered rational. In particular, the importance of social cooperation to achieving the good life is stressed: to commit patricide would place one outside human society. However, a society's conception of honour can change, and indeed can be moulded by the sovereign, as Hobbes acknowledges when discussing the practice of duelling.<sup>61</sup> In the example of patricide, then, we must assume that the revulsion or disapproval felt towards the perpetrator is considered by Hobbes to be a feature of human nature, which as such cannot be altered. This explanation opens the door to the possibility that there are other commands that subjects could rationally choose to die for rather than perform. However, Hobbes does not pursue this.

In short, what seems essential to Hobbes's view of the relationship between the individual and common good is the idea that no rational appetite can endanger the commonwealth. It is appetites that are against reason – such as the desire for martyrdom, or the vainglory that leads a person to seek military honours rather than preserve peace – that threaten civil order. In the three examples discussed so far, individuals have been morally free to pursue their real good (even though their chances of attaining it are slim). However, in another example, Hobbes raises a case in which an individual is obliged to sacrifice his life for the good of the commonwealth. This is the case of the soldier who is obliged to fight even if his own death seems likely, unless he is instructed to flee by his superior officer:

he that inrowlth himselfe a Souldier, or taketh imprest mony [...] is obliged, not onely to go to battell, but also not to run from it, without his Captaines leave.<sup>62</sup>

How can the individual and common good be compatible in such a case?<sup>63</sup> That there are citizens prepared to sacrifice their lives in battle is necessary for the common good (the preservation of the commonwealth). This sacrifice, however, would

<sup>&</sup>lt;sup>59</sup>DCv 6.13 (ed. Tuck 1998).

<sup>&</sup>lt;sup>60</sup> See also L 21 (ed. Malcolm 2012, 338 [112]).

<sup>&</sup>lt;sup>61</sup>L 10 (ed. Malcolm 2012, 142 [45]).

<sup>&</sup>lt;sup>62</sup>L 21 (ed. Malcolm 2012, 338–40 [112]). See also "A Review and Conclusion", 1134 [390–91]. This obligation lasts only as long as the power he is fighting for "keeps the field": if the commonwealth falls, "a Souldier also may seek his Protection wheresoever he has most hope to have it; and may lawfully submit himself to his new Master". For a discussion of Hobbes's arguments concerning fighting for the commonwealth across his works, see Baumgold 1983, 43–64.

<sup>&</sup>lt;sup>63</sup> On the readiness to die for one's community in Aristotle and medieval authors, see section three of Juhana Toivanen's chapter in this volume.

seem to be at odds with the individual's real good, and thus to require an irrational desire on the part of the soldier.

According to Michael P. Krom, this means that a Hobbesian commonwealth must implicitly rely on "generous prideful men" who are willing to sacrifice themselves for their commonwealth, even though these men must, according to Hobbes's theory, be characterised as "irrational". The result, for Krom, is a theory that builds peace on the "rational self-interest" of the majority of men but needs "generous souls who put the interests of the commonwealth above their own" if that peace is to be protected. Hobbes cannot appeal to these "generous souls" in the language of instrumental rationality, but he writes his political theory for the majority of men who are not capable of such noble actions, Krom argues. Such a reading suggests that Hobbes, despite himself, must ultimately agree with Cicero's exposition in *De finibus* of the Stoic view that "a preparedness to die for one's country is so laudable" because "it is right and proper that we love our homeland more than our very selves", whilst simultaneously presenting this position to be irrational.

It would appear that there are three options in response to this problem. First, the compatibility of real individual good with the common good in Hobbes's theory fails when it comes to soldiers since in their case, the real good of preserving one-self threatens the survival of the commonwealth. Second (Krom's preferred route), the whole account of real goods that Hobbes has given is not to be understood as part of a genuine moral theory but rather as a rhetorical strategy aimed at convincing immoral men to act peacefully as much as they are able, while the true morality remains more like that of a Roman Stoic. Third, there is some way, consistent with Hobbesian premises, in which the sacrifice of the soldier can be understood to represent their real good.

One possible candidate for the third option can be taken from the example in *De cive* in which one might prefer death to living in "infamy and loathing". <sup>66</sup> Perhaps the soldier, who has "taken away the excuse of a timorous nature" by enrolling in the military, would, if he deserted, face so much condemnation and mistrust even if he survived that death would be preferable.

It is worth noting that because Hobbes's view, compared with that of a morality that praises self-sacrifice, must – if accepted – seriously limit the numbers of citizens willing to sacrifice their lives when commanded by the sovereign, it must likewise limit the bellicosity of the sovereign, who can no longer rely on legions of men willing to sacrifice themselves. Given the rational interest that all have in peace, this for Hobbes must be no bad thing.

<sup>64</sup> Krom 2011, 99-101.

<sup>65</sup> Cicero, De finibus 3.64 (On Moral Ends, ed. Annas, trans. Woolf 2004).

<sup>&</sup>lt;sup>66</sup>I am grateful to Juhana Toivanen for discussion on this point.

#### 12.6 Conclusion: Real Goods and Real Politics

The condition in which there is no conflict between the individual and common good – the condition in which laws are directed to the real good of the commonwealth, and citizens see where their own real good lies – is an ideal condition, not a real political scenario for Hobbes, at least not one that has existed so far. Hobbes thinks there is no human body without the desire for self-preservation, and in a similar way, there can be no commonwealth (no political body) without a sovereign who desires peace. But commonwealths may be led by *homines imperiti*, who do not understand what is conducive to peace, that is, who do not see the real common good. And citizens often do not understand their own real good. Undoubtedly, Hobbes is much more concerned with the latter issue than the former. He sometimes even seems to show an optimism, or even naivety, about the possible desires of a sovereign, as in the case where he tells his readers that, no "Infidel King" would be "so unreasonable" as to "put to death, or to persecute" a subject who "thinketh himself bound to obey the Laws of that Infidel King".

Nevertheless, tracing the compatibility between real individual and real common good in Hobbes's philosophy is worthwhile for drawing attention to how, within his theory as in those that went before, the ability of sovereigns to see the real good for the commonwealth is a fundamental part of a functioning political community. Although Hobbesian citizens, accepting his position that there is no absolute good to be found in the nature of things, have reason to accept the sovereign's law as the "common rule of good and evil", this cannot be pushed too far. The freedom that Hobbes allows to individuals to follow their real good suggests that the commonwealth is undermined not only by the irrational desires of subjects, but also by the irrational desires of sovereigns. Hence the most stable, the most well-functioning, Hobbesian political community is one in which the citizens pursue real individual goods, and the sovereign's laws are directed to real common goods.

To return to the question with which we began: if what is good for oneself and what is good for the political community conflict, which should take precedence? Hobbes's theory, I have argued, suggests that the choice is a false one. First, in an ideal world, there is no conflict between these goods since the real goods of both individuals and commonwealths converge in the laws of nature, which are the means both to the preservation of the individual and of the state. Even cases such as that of the criminal – where a real individual good does not threaten the good of the commonwealth but is nevertheless threatened by it – would not arise since criminality itself is a product of irrationality (either on the part of the person subject to the law, or the lawmaker). Then, in the real world, where human rationality is fallible, Hobbes argues that individuals should ultimately accept the sovereign's definition of what is good, and in this way, what is "good for oneself" gains content only through what is good for the commonwealth. However, this latter method of uniting individual with common good has limits, which Hobbes acknowledges. Subjects cannot be pushed too far into calling good that which is obviously contrary to their real good of preserving themselves, nor

<sup>&</sup>lt;sup>67</sup>L 43 (ed. Malcolm 2012, 954 [331]).

to the stated aim of the commonwealth to enable us to live peacefully and well. Hence, the ideal framework of compatibility between real individual and common good is important for Hobbesian sovereigns to keep in mind: that commonwealth is best preserved which deviates from it least.<sup>68</sup>

#### References

#### **Primary Sources**

Cicero [2004]. On Moral Ends. Ed. J. Annas, trans. R. Woolf, Cambridge: Cambridge University Press.

Hobbes, Thomas [1839a]. *De Corpore*. In Opera Latina 1, ed. W. Molesworth, London: John Bohn. Hobbes, Thomas [1839b]. *De Homine*. In Opera Latina 2, ed. W. Molesworth. London: John Bohn.

Hobbes, Thomas [1983]. *De Cive*. Ed. H. Warrender. Oxford: Oxford University Press.

Hobbes, Thomas [1991]. *Man and Citizen*. Ed. B. Gert. Indianapolis, IN: Hackett Publishing Company.

Hobbes, Thomas [1998]. *On the Citizen*. Ed. R. Tuck, trans. M. Silverthorne. Cambridge: Cambridge University Press.

Hobbes, Thomas [2012]. Leviathan. Ed. N. Malcolm. Oxford: Clarendon Press.

Hobbes, Thomas [2007]. *The Elements of Law, Natural and Politic*. Ed. F. Tönnies. Elibron Classics. Facsimile reprint.

#### Secondary Literature

Baumgold, Deborah. 1983. Subject and Soldiers: Hobbes on Military Service. *History of Political Thought* 4: 43–64.

Boonin-Vail, David. 1994. *Thomas Hobbes and the Science of Moral Virtue*. Cambridge: Cambridge University Press.

Chadwick, Alexandra. 2018. Hobbes on the Motives of Martyrs. In *Hobbes on Politics and Religion*, ed. R. Douglass and L. van Apeldoom, 79–94. Oxford: Oxford University Press.

Douglass, Robin. 2014. The Body Politic 'is a fictitious body': Hobbes on Imagination and Fiction. *Hobbes Studies* 27: 126–47.

Gert, Bernard. 2010. Hobbes: Prince of Peace. Cambridge: Polity Press.

Hampton, Jean. 1992. Hobbes and Ethical Naturalism. Philosophical Perspectives 6: 333-53.

Karstadt, Elliott. 2016. The Place of Interests in Hobbes's Civil Science. Hobbes Studies 29: 105–28.

Krom, Michael P. 2011. The Limits of Reason in Hobbes's Commonwealth. London: Continuum.

Lloyd, Sharon A. 2009. *Morality in the Philosophy of Thomas Hobbes: Cases in the Law of Nature*. Cambridge: Cambridge University Press.

Olsthoorn, Johan. 2020. On the Absence of Moral Goodness in Hobbes's Ethics. *The Journal of Ethics* 24: 241–66.

Sreedhar, Susanne. 2008. Defending the Hobbesian Right of Self-Defense. *Political Theory* 36: 791–92.

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