

Locke and Hobbes: Which contract to sign?

Locke and Hobbes both write of the social contract, yet have differing views of what is most important in the relationship between the rulers and the ruled. While Hobbes views the state of nature as harsh and violent, mainly due to humanity's inherent bad nature, Locke has a slightly more positive view of the state of nature. While Locke acknowledges its problems and the benefits that society brings, he's isn't quite as cynical about humanity's inherent nature. The different conclusions that these ideas lead to beg the question: which is more correct, and which social contract is the one to sign? When both arguments are laid out, it becomes apparent that Locke's social contract is far more egalitarian, democratic, and less likely to lead to the justification of tyranny.

To start, Locke and Hobbes both begin their arguments for a social contract with the assertion that all men are created equal. Hobbes claims that "Nature hath made men so equall, [as their differences are] not so considerable, as that one man can thereupon claim to himselfe any [exclusive] benefit"(Hobbes, Chap. 13 Para. 1). Locke makes the similar claim "that creatures of the same species and rank[,] should also be equal one amongst another without subordination or subjection"(Locke, Book 2, Chap. 2, Sec 2, Para. 1). There seems to be no flaw in this assertion, and they are in agreement on the matter of humanity's equality, which is fundamental to a humane social contract.

One major difference between the two is found in their conception of the rights of the state of nature. First, both agree that humanity in a state of nature has, as a right of nature, liberty, however they differ in their definitions. For Hobbes, liberty is defined merely as "the absence of externall Impediments"(Hobbes, Chapter 14, Para. 2). In a state of nature, without law or order to reign supreme, humans have the freedom to do anything. Locke, however, would disagree with this natural license to do anything which Hobbes supposes. Locke makes the assertion that "the state of nature has a law of nature to govern it, which obliges everyone"(Locke, Book 2, sec. 6). So, while humanity in a state of nature has liberty in the sense that it is free of an earthly governing force, the state of nature does not provide a license for action without limitations.

In discussing which is the more correct conception of liberty, it's important to point out the contradictions that Hobbes seems to make in his argument. For he not only himself purports

the existence of a natural law, but also writes that “The Lawes of Nature are Immutable and Eternall, For Injustice, Ingratitude, Arrogance, Pride, Iniquity, Acception of persons, and the rest, can never be made lawfull”(Hobbes, Chapter 15, Para. 28). While in this quote he merely attempts to argue that the transgressions of the laws of nature cannot justifiably be made lawful in civil society, the contradiction is still apparent. For if the the laws of nature are truly immutable and eternal, would they not exist in a state of nature? Is it not possible that these laws of nature find their home in human nature itself?

To be fair to Hobbes, he makes bases this claim on the presupposition that “Justice And Propriety Begin With The Constitution of Common-wealth,” and that “before the names of Just, and Unjust can have place, there must be some coercive Power, to compell men equally to the performance of their Covenants”(Hobbes, Chapter 15, Para 2). From this perspective, it is conceivable to argue that although there may be a natural law, in a state of nature it has no practical existence without the definition of just and unjust by the law, and the enforcement of this law by an executive power. For if there exists a law, but nobody knows of it nor is compelled to follow it, can it be said to really exist, as it does in society?

However, Hobbes’ argument that there is no justice or injustice in the state of nature without law is untenable. I find Locke’s argument that the natural law can be found “as the positive laws of commonwealths,” far more convincing (Locke, Book 2, Sec. 12). For humans are animals, and as a social animal, it is natural that a form of social morality would be implanted in our nature. Therefore, I find it more likely that the laws which nearly every society creates (laws against murder, theft, etc.) are institutional manifestations of universal moral inclinations which find their origin in our human nature.

Additionally, Locke has an argument to refute the assertion that there is no natural law without a coercive power. He claims that “the execution of the law of nature is, in [the state of nature], put into every man's hands, whereby everyone has a right to punish the transgressors of that law”(Locke, Book 2, Sec. 7). Therefore, while there is no earthly power which enforces the law, individuals who breach the natural law (i.e. killing, stealing, etc.) are still punished accordingly if the offended party has the power to do so. Society is created to more effectively

and consistently carry out justice in a community of people, but justice doesn't find its origin in society, as Hobbes claims.

The two also differ in their conceptions of why society is formed. Locke acknowledges that he wants for "the preservation of [...] property," "an established, settled, known law," a "common measure to decide all controversies," a "known and indifferent judge," and a "power to back and support the sentence when right," are the reasons for the creation of society, just as Hobbes does (Locke, Book 2, Sec. 124-26). The main difference appears to be that Locke sees society as something that is created for the enhancement of humanity's better nature, while Hobbes sees society as necessary to stamp out humanity's worst nature.

The problem with Hobbes' theory is that it leads to a social contract which doesn't concern itself enough with guards to the equality of those within a society. For Hobbes claims that the state of nature is something akin to constant bloodshed and chaos, and in this state of nature, "the life of man [is] solitary, poore, nasty, brutish, and short" (Hobbes, Chapter 13, Para. 8). If this is taken to be true and society is formed primarily for the suppression of that bloodshed and chaos, and serves as the only bulwark for that chaos, then the considerations of how legitimately the social contract came into existence, and whether it's truly beneficial to the ruled and the ruler, are only superficially important. The true equality and legitimacy of the social contract are secondary, while the protection of those within the state from the state of nature is primary.

Locke, however, points out a major flaw in simply accepting the established order (monarchy in their time) in the name of protection from a state of nature, when he writes:

absolute monarchs are but men; and if government is to be the remedy of those evils, which necessarily follow from men's being judges in their own cases, and the state of nature is therefore not to be endured, I desire to know what kind of government that is, and how much better it is than the state of nature, where one man, commanding a multitude, has the liberty to be judge in his own case, and may do to all his subjects whatever he pleases, without the least liberty to any one to question or controul those who execute his pleasure? (Locke, Book 2, Sec. 13.)

If all men are truly equal in a state of nature, then why should any one man have arbitrary or absolute power over another, as Hobbes' contract allows? Why should we assume that a state of nature is less preferable than an invalid social contract?

In contrast to Hobbes, Locke asserts that a social contract is valid through "the consent of any number of freemen capable of a majority to unite and incorporate into such a society. And this is that, and that only, which did, or could give beginning to any lawful government in the world"(Locke, Book 2, Sect. 99). For government in Locke's eyes is not something which should merely be a tool to suppress humanity's capacity for bad, but something which should be created in order to bring out humanity's capacity for good. Therefore, one can't justify oppression or authoritarianism, or even lawfully ruling over others if the power is arbitrary and absolute, in the name of peace and order. A government is only truly valid if it has the blessings of those who comprise it, and acts as a representation of everyone in that community.

Therefore, if one social contract is to be signed over the other, it would surely have to be Locke's. Hobbes is correct in his assessment of humanity's evil nature, but is overly cynical in his lack of recognition for humanity's equally inherent good nature. The claim might be made that Locke is overly idealistic in comparison to Hobbes, but this is untrue. Locke is realistic in granting that authority and society are necessary to adequately address the problems of humanity's evil nature in a state of nature. However, Locke's social contract seems to be rooted more in humanity's desire to create institutions for the positive reinforcement of good, whereas Hobbes' seems to be more rooted in the attempt to suppress humanity's desire to do bad. Additionally, Locke takes seriously the equality of all men, and his version of the social contract embodies this ideal. In contrast, Hobbes is okay with the idea of absolute power, so long as the end goal is order. Therefore, Locke offers a more humanitarian, democratic vision for an ideal social contract in comparison to Hobbes.

Works Cited

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