

Obligation and Sovereign Virtue in Hobbes's *Leviathan*

J. Matthew Hoye

Abstract: Debates regarding obligation in Hobbes have turned on either natural right or natural law interpretations. Both interpretations tend to take up the question of obligation from the perspective of teaching those who contend “for too great Liberty” “how to obey.” But Hobbes also has a second audience, and a second goal in mind: those who contend “for too much Authority” must be taught “how to govern.” From that perspective, a different discussion of obligation emerges. What is revealed is a contiguous set of reflections in *Leviathan* that pivot on the character of the sovereign and the citizens’ judgment thereof, all of which inform effective obligation and have little in common with received interpretations of obligation. It further reveals a relationship between the failure to manifest sovereign virtue and the natural punishment of pusillanimous and barbaric sovereigns. That is, it speaks to a sovereign virtue ethic in *Leviathan*.

I. Introduction

The debate regarding obligation in Hobbes has been between variants of natural right / egoist interpretations and natural law / deontological interpretations. In some form or another, natural right interpretations make the argument that the primary human motivation is the self-interested drive for “Power after power,”¹ that the greatest evil in life is war and death, and hence, that the sine qua non of politics is obedience to whatever power provides peace, up until the point that the sovereign threatens one’s life. Whether by way of the social contract or, implicitly, because of the existence

J. Matthew Hoye is Lecturer in Practical Philosophy in the Department of Philosophy, Maastricht University, P.O. Box 616, 6200 MD Maastricht, The Netherlands (matthewhoye@gmail.com).

Many thanks to the external reviewers for the attentive and critical feedback.

¹Thomas Hobbes, *Leviathan*, vol. 2, *The English and Latin Texts (i)*, ed. Noel Malcolm, The Clarendon Edition of the Works of Thomas Hobbes (Oxford: Oxford University Press, 2012), xi. 150. All citations to *Leviathan* are to Malcolm’s edition and cited in the form volume:chapter. page.

of the sovereign, citizens in this reading are obliged to follow the commands of the sovereign, exchanging protection for obedience.² Ethical motivation (if it is to be called such) is imparted by natural human egoism, and the natural laws are understood as second-order prudential maxims without independent motivational force.³ By contrast, deontological interpretations contest that Hobbes's discussion of the natural laws are not second-order concerns, but first-order concerns, as they provide the prepolitical ethical motivations that ground obligation before and after the social contractual moment.⁴ Different natural law interpretations pull in different directions, but all identify certain foundational autonomous normative forces (reason or God) as being prepolitically motivating. Here, the claim is that because these motivational forces allow for a real decision—as opposed to deriving from Hobbes's mechanistic physiology a deterministic egoism—Hobbes can be said to hold a significant moral philosophy.⁵ These readings rarely call into question that Hobbes's egoistic claims *lack* motivational force. However, they often argue that these postulates cannot in and of themselves explain either the problem of entry into the social contract, or how the social contract is maintained (to which the egoist reading may respond that the deontological reading cannot explain why the natural condition of mankind is conflictual in the first place or, accepting that it is, why a monolithic sovereign and a social contract are the only viable solutions). Both the egoist / natural right and the deontological / natural law interpretations reach a shared explanatory dilemma at the problem of war, as neither interpretation appears to allow for

²Leo Strauss, *The Political Philosophy of Hobbes: Its Basis and Its Genesis* (Chicago: University of Chicago Press, 1952); Jean Hampton, *Hobbes and the Social Contract Tradition* (Cambridge: Cambridge University Press, 1986); Gregory S. Kavka, *Hobbesian Moral and Political Theory* (Princeton: Princeton University Press, 1986); David P. Gauthier, *The Logic of Leviathan: The Moral and Political Theory of Thomas Hobbes* (Oxford: Oxford University Press, 2000); Thomas Nagel, "Hobbes's Concept of Obligation," *Philosophical Review* 68, no. 1 (1959): 68–83. Others have asserted that the right to self-preservation in Hobbes is far more robust than is generally afforded, and entails significant duties on the part of the sovereign. See Peter J. Steinberger, "Hobbesian Resistance," *American Journal of Political Science* 46, no. 4 (2002): 856–65; Eleanor Curran, *Reclaiming the Rights of the Hobbesian Subject* (New York: Palgrave Macmillan, 2007). Steinberger's argument regarding Hobbes's "prudential advice to the ruler" (857) has affinities with the argument that I will develop here. Although they speak to different questions, both arguments lend general support to the other.

³John W. N. Watkins, *Hobbes's System of Ideas* (Aldershot: Gower, 1989).

⁴A. E. Taylor, "The Ethical Doctrine of Hobbes," *Philosophy* 13, no. 52 (October 1938): 406–24; Howard Warrender, *The Political Philosophy of Hobbes: His Theory of Obligation* (Oxford: Oxford University Press, 2000); Aloysius P. Martinich, *The Two Gods of Leviathan: Thomas Hobbes on Religion and Politics* (Cambridge: Cambridge University Press, 2002); Perez Zagorin, *Hobbes and the Law of Nature* (Princeton: Princeton University Press, 2009).

⁵Warrender, *Political Philosophy of Hobbes*, 6.

citizens to put their lives on the line for the public good, a problem that is sometimes cast as speaking to an essential paradox in Hobbes's thought.⁶

These disagreements are similarly manifest in the expressly ideological debates surrounding obligation in Hobbes.⁷ Reflecting on that debate, Kinch Hoekstra convincingly argues that we are well served by focusing instead on Hobbes's political naturalism—what Hoekstra calls “the fact of power and the facts of human nature”⁸—as doing so reveals the shared underlying logic informing royalist, contractualist, and de factoist ideologies of obligation.⁹ Importantly for my argument, Hoekstra also brings into focus another common trait in all of these interpretations, both analytical and ideological: the politics of obligation are usually read from the perspective of, to paraphrase Hobbes, teaching those “who contend, on one side for too great Liberty”¹⁰ “how to obey.”¹¹

But Hobbes also has a second audience, and a second set of goals in mind: those who contend “for too much Authority”¹² must be taught “how to govern.”¹³ This brings me to my intended contribution. From that perspective, a third discussion of obligation that makes reference to a different set of natural facts emerges. These facts have not necessarily gone without note, but their unity has not been made apparent. Instead, they have generally been dismissed as being divergences, anomalies, nonessential, or not representative of Hobbes's “true intentions.” What they reveal, positively, is a contiguous set of reflections on the politics of obligation which pivot on the

⁶Strauss, *The Political Philosophy of Hobbes*, 114; Warrender, *Political Philosophy of Hobbes*, 188–99; Laurie M. Johnson Bagby, *Thomas Hobbes: Turning Point for Honor* (Lanham, MD: Lexington Books, 2009), 125–35.

⁷Quentin Skinner, “The Ideological Context of Hobbes's Political Thought,” *Historical Journal* 9, no. 3 (January 1966): 286–317; Quentin Skinner, *Visions of Politics: Hobbes and Civil Science*, vol. 3 (Cambridge: Cambridge University Press, 2002); Thomas Hobbes, *Leviathan*, ed. Richard Tuck (Cambridge: Cambridge University Press, 1996), editorial introduction.

⁸Kinch Hoekstra, “The de Facto Turn in Hobbes's Political Philosophy,” in *Leviathan after 350 Years*, ed. Tom Sorell and Luc Foisneau (Oxford: Oxford University Press, 2004), 72. For a more recent account of this debate, see Noel Malcolm, *Leviathan*, vol. 1, *Introduction*, The Clarendon Edition of the Works of Thomas Hobbes (Oxford: Oxford University Press, 2012), 65–81.

⁹Hoekstra, “The de Facto Turn in Hobbes's Political Philosophy.” Hoekstra sets out a similar argument against John Deigh's argument for the independence of Hobbes's ethics and psychology in his “Hobbes on Law, Nature, and Reason,” *Journal of the History of Philosophy* 41, no. 1 (2003): 111–20. For an alternative explanation, see Deborah Baumgold, “The Difficulties of Hobbes Interpretation,” *Political Theory* 36, no. 6 (2008): 827–55.

¹⁰*Leviathan*, II:Epistle Dedicatory.

¹¹II:xxxi. 574.

¹²II:Epistle Dedicatory.

¹³II:xxxi. 574.

character of the sovereign and the citizens' judgment thereof, which have little in common with the analytical and ideological discussions of obligation. Negatively, they reveal the relationship between the failure to manifest those positive traits in the securing of effective obligation, and the natural punishment of pusillanimous and barbaric sovereigns. That is, they speak to an understanding of obligation that turns on sovereign virtue ethics in Hobbes.¹⁴ At least, so I will argue.

My argument turns on five exceptions to the political naturalism rule in *Leviathan*, all of which direct our attention to the moral character of the sovereign and the judgment of citizens thereof. Section II begins by considering the inner freedom of citizens as a form of judgment of sovereign virtue and vice, a consideration that is then extended in section III to a discussion of inner resistance. Section IV considers Hobbes's affordance of a special vocation to eminent or magnanimous individuals and the relationship between magnanimity and natural obedience. Section V reconsiders—and then discards—the paradox of war as it has been cast in the natural right and natural law interpretations. In doing so—and in light of the arguments in sections II–IV—it reveals Hobbes's concomitant concern for sovereign virtue as the necessary element of war making. Section VI then takes up Hobbes's critique of barbarism and the discussion of natural punishment. In conclusion, section VII reflects more broadly on obligation, resistance, and virtue in Hobbes, as well as the interoperability of the sovereign virtue ethics argument with the natural right and natural law interpretations. It proposes that the sovereign virtue ethics interpretation does not further muddle the debate

¹⁴Hobbes is rarely considered a virtue theorist. Indeed, many hold that this is exactly what Hobbes was writing against. See, for example, Strauss, *Political Philosophy of Hobbes*; Johnson Bagby, *Thomas Hobbes*; Christopher Scott McClure, "War, Madness, and Death: The Paradox of Honor in Hobbes's *Leviathan*," *Journal of Politics* 76, no. 1 (2014): 114–25. However, there is a strong case to be made that Hobbes was generally concerned with virtue. See David Boonin-Vail, *Thomas Hobbes and the Science of Moral Virtue* (Cambridge: Cambridge University Press, 1994); R. E. Ewin, *Virtues and Rights: The Moral Philosophy of Thomas Hobbes* (Boulder, CO: Westview, 1991); Quentin Skinner, *Reason and Rhetoric in the Philosophy of Hobbes* (Cambridge: Cambridge University Press, 1996), 11; on modesty, Julie E. Cooper, "Vainglory, Modesty, and Political Agency in the Political Theory of Thomas Hobbes," *Review of Politics* 72, no. 2 (2010): 241–69; on magnanimity, Andrew J. Corsa, "Thomas Hobbes: Magnanimity, Felicity, and Justice," *Hobbes Studies* 26, no. 2 (January, 2013): 130–51; Bernard Gert, "The Law of Nature as the Moral Law," *Hobbes Studies* 1, no. 1 (1988): 26–44; Gert, *Hobbes: Prince of Peace* (Cambridge: Polity, 2010). Boonin-Vail's is the most robust account of virtue ethics in Hobbes. It is curious that Boonin-Vail does not address the virtue of magnanimity and only fleetingly addresses the question of obligation, and that while Corsa does take up the question of magnanimity specifically, he does not mention sovereignty. These works generally concern the virtues of subjects, whereas my concern is the virtues of sovereigns specifically.

over obligation, asserting instead that they are not exclusive interpretations but are likely synergetic.

II. Inner Freedom

In Hobbes, discussions of obligation and obedience tend to begin with his writings on the natural condition of mankind in chapter 13 of *Leviathan*. From that point on, Hobbes sets out the idea of the social contract, the basic elements of the de facto claim, the laws of nature, and different forms of institution. Whether or not one reads Hobbes as a natural right or a natural law theorist, his discussions of obligation are roundly concerned with showing them in the affirmative. This approach is fine, save that it tells us nothing about the reason why the previous polity had dissolved—that is, why citizens abjured their obligation to the sovereign—leaving the distinct impression that Hobbes is beginning from a sort of ahistorical and unconditioned void. This is unfortunate, as the chapter preceding Hobbes's discussion on the natural condition of mankind (chapter 12, "Of Religion"), provides such an account.

In chapter 12, Hobbes sets out an account of the process of regime collapse that corresponds with the incremental emergence of what can be fairly termed inner resistance. Having explained the politics of new foundations and the processes founders use to command the faith of subjects, and having declared that the natural laws and the positive laws contain each other,¹⁵ Hobbes then—in a discussion that bears little resemblance to the natural law and natural right interpretations of obligation—turns to the decay of faith and the undermining of obligation. Hobbes begins by characterizing a subject's faith in the sovereign-founder as based on the belief that he or she will "labour to procure their happiness,"¹⁶ turning then to the reason why regimes fail. Each of Hobbes's answers involves the citizens' evaluation of sovereign conduct. "It followeth necessarily," Hobbes writes, that

when they that have the Government of Religion, shall come to have either the *wisdom* of those men, their *sincerity*, or their *love* suspected; or that they shall be unable to shew any *probable token of Divine Revelation*; that the religion which they desire to uphold, must be suspected likewise; and (without the feare of the Civill Sword) contradicted and rejected.¹⁷

Four conditions, then, all of which turn on the character of the sovereign: *wisdom*, *sincerity*, *love*, and *revelation* (I will return to the subordinate clause).

¹⁵Hobbes's better-known version of the containment thesis is found later in *Leviathan* (II:xxvi. 418).

¹⁶II:xii. 180.

¹⁷*Ibid.* (italics added).

Hobbes links the reputation for wisdom with the logical coherence of promulgated doctrine. Whatever the symbolic content of religious creeds (“Men, Women, a Bird, a Crocodile, a Calf, a Dogge, a Snake, an Onion, a Leeke”),¹⁸ their attendant ethical-political claims must not be blatantly irrational. Founders of religions and new state doctrines will invariably have their wisdom assessed by way of the internal coherency of the regime. This is because an irrational claim necessarily “discredits him in all things else he shall propound as from revelation supernaturall: which revelation a man may indeed have of many things above, but nothing against naturall reason.”¹⁹ These claims are not as strict as they first seem. As the examples listed above show, the symbolic content is not important. But the logic of the sovereign’s promulgated doctrine is.

As well as assessing the rationality of the sovereign’s ideological claims, citizens also judge the sincerity²⁰ of the sovereign making the claim. In language that will be evoked again in his discussion of virtue and war, Hobbes writes that “that which taketh away the reputation of Sincerity, is the doing, or saying of such things, as appeare to be signes, that what they require other men to believe, is not believed by themselves.”²¹ Whatever the formal marks of sovereignty, in practice there is an implicit obligation for sovereigns to abide by their own ideological claims and by the laws of nature. This obligation becomes stricter as these claims become clearer, for example when codified as law. But the claim is not merely one of the intention behind the law (or religious doctrine), it is that as well as an evaluation of the actual deeds of the founder. Hobbes does not describe these actions of lawbreaking, but instead describes a sovereign’s insincerity as “sinful,” a character trait flagged by eminent vice: “Injustice, Cruelty, Prophanesse, Avarice, and Luxury.”²²

Hobbes’s advice is not only that sovereigns abstain from vice. He further writes: “That which taketh away the reputation of Love, is being detected of private ends.”²³ Sovereigns who direct the state apparatus to fulfill their own egoistic desires undermine their claim to securing equity and general

¹⁸II:xii. 172.

¹⁹II:xii. 182. There is clearly much more to say about the laws of nature in Hobbes. See, for example, Zagorin, *Hobbes and the Law of Nature*. But there is likewise much to be said on the limitations of the natural law interpretations; see Leon Harold Craig, *The Platonian Leviathan* (Toronto: University of Toronto Press, 2010).

²⁰I.e., purity, integrity, genuineness (an attribute of a person, not of a statement or expression) (*OED*, s.v. “sincerity”). Noted in II:180, editorial footnote am.

²¹II:xii. 182.

²²Ibid. See also Tom Sorell, “The Burdensome Freedom of Sovereigns,” in *Leviathan after 350 Years*, ed. Sorell and Foisneau, 183–96.

²³II:xii. 182. Cf. Nagel, “Hobbes’s Concept of Obligation,” 81: “Not once in *Leviathan* does he appeal to concern for others as a motive, but always to self-interest.”

flourishing—the very reasons the commonwealth was founded.²⁴ “For that which men reap benefit by to themselves, they are thought to do for their own sakes, and not for love of others.”²⁵ These moral transgressions are all the more flagrant where the ideological apparatus of the state claims other ideals. Note that this claim does not turn—as the laws of nature generally do²⁶—on the silver rule of negative reciprocity (“do not unto others as you would have them not do unto you”), which Hobbes routinely advises for the great majority.²⁷ Instead, it relies on the golden rule (“do unto others as you would have them do unto you”), and indeed pushes this to the realm of charity, as there are no express requirements to requite.

Finally, the question turns to how sovereigns can continue to instantiate evidence of their “divine Calling.” It is politically crucial that they do so, for if sovereigns cannot evince their special calling—either by miracle, “true Prophecy,” or “extraordinary Felicity” (by which Hobbes always means *perception* of “miracles” etc.)²⁸—then the declared moral values of the commonwealth risk appearing (and being) unmoored, left instead to conventionalism,

²⁴On equity in Hobbes, see Zagorin, *Hobbes and the Law of Nature*, 84–98. Zagorin fails to note that the foundation of the commonwealth is based on the formalization of the iniquity, and more importantly that uncoerced equitable conduct is perhaps the most iniquitously distributed character trait of them all. Zagorin’s admirable study also ends where many natural law arguments do, namely by presupposing an inherently motivational quality to reason to arrive at just conclusions without aid (*ibid.*, 114). Hobbes may have held to such a motivational conception of reason in *Elements* and *De Cive*, though less so in *Leviathan* (see Skinner, *Reason and Rhetoric*). Note that this critique does not scuttle my argument, but simply means that equitable conduct is conditional on the charity (“free gift”) of sovereigns (or future sovereigns).

²⁵II:xii. 182.

²⁶As Gert writes, “although Hobbes talks about the laws of nature as prescribing the virtues, it is easier to think of them as proscribing the vices” (“Law of Nature as the Moral Law,” 43).

²⁷Sharon Lloyd has argued that the idea of reciprocity contains the normative seed of obligation in Hobbes, and that it is ultimately encompassed in the positive laws, implying that the positive laws are always legitimate “even when we correctly believe them to command immoral actions. This is so because our paramount duty is to hold ourselves to the standards we think it reasonable to impose on others, and our shared basic interests preclude our allowing as reasonable that people should insist on their private judgments in such matters” (“Hobbes’s Self-Effacing Natural Law Theory,” *Pacific Philosophical Quarterly* 82, no. 3–4 [2001]: 286). My argument is largely in agreement with Lloyd’s, save that I follow Hobbes in carving out an exception for eminent and magnanimous leaders.

²⁸The major problem with the claim that God’s power gives prepolitical normativity to the natural laws is that whatever God is in the world, it must be represented by an agent. See Arash Abizadeh, “Representation of Hobbesian Sovereignty: Leviathan as Mythology,” in *Hobbes Today: Insights for the 21st Century*, ed. S. A. Lloyd (Cambridge: Cambridge University Press, 2013), 113–54.

“Custome, and Lawes of the places, in which they be educated.”²⁹ Hobbes’s answer here is an outright rejection of mere de factoism. The operative distinction is between religion, superstition, and what Hobbes calls “true religion”: “Feare of power invisible, feigned by the mind, or imagined from tales publicly allowed, RELIGION; not allowed, SUPERSTITION. And when the power imagined, is truly such as we imagine, TRUE RELIGION.”³⁰ If the “tales publicly allowed” corresponds with “true religion,” all the better. But Hobbes’s emphasis is on the latter. Note the difficulty of the task at hand for any sovereign. The sovereign must persuasively instantiate (give a “probable token of Divine Revelation”) his or her own divine calling. But the veracity of that miracle—that is, its status as pertaining to a “true religion”—is independent of the sovereign’s office, and is an output of his or her personal persuasiveness and sincerity, and the judgment of individual citizens thereof. Failing to do so, Hobbes tells us, can result in the failure of the commonwealth.

Hobbes summarizes his discussion of the four faults undermining sovereignty with what I take to be a crucial insight regarding the effective grounds of obligation: “For as in naturall things, men of judgement require naturall signes, and arguments; so in supernaturall things, they require signes supernaturall, (which are Miracles,) before they consent inwardly, and from their hearts.”³¹ There is much more to say about the obligation of citizens and the collapse of regimes. However, here, in one of Hobbes’s clearest discussions of regime collapse and the economy of responsibility thereof, he claims that the core problem is the collapse of inner consent. Moreover, Hobbes assigns the sovereign the responsibility to maintain and foster inner consent by way of his or her own virtue. The implication is that the ideological debates regarding obligation are important but symptomatic concerns.

No matter how fortified the sovereign’s coercive power—and no matter how pervasive the sovereign’s concomitant ideological apparatus may be—subjects retain the faculty of judgment. Regardless of social contractual or de factoist claims regarding the legitimacy of the state, maintaining the fiction of the state is contingent upon subjects judging that his or her personifying sovereign is representative of his or her will.³² The stakes are existential and the game is perpetually in play. For this reason, Hobbes writes elsewhere: “The examples of Princes, to those that see them, are, and ever have been, more potent to govern their actions, than the Lawes themselves.”³³ Following this, in an express political rebuke of the de facto rule, Hobbes writes that “And though it be our duty to do, not what they do, but what

²⁹II:xii. 182.

³⁰II:vi. 86.

³¹II:xii. 182.

³²On the fiction of the state, see Quentin Skinner, “Hobbes and the Purely Artificial Person of the State,” *Journal of Political Philosophy* 7, no. 1 (1999): 1–29.

³³II:xxvii. 476.

they say; yet will that duty never be performed, till it please God to give men an extraordinary, and supernaturall grace to follow that Precept."³⁴

III. Inner Resistance

This brings us back to the subordinate clause: "(without the feare of the Civill Sword)."³⁵ Inner consent implies the possibility of resistance. Hobbes is not keen to broach the topic, but in his later discussion of sinful and blasphemous sovereigns, he is compelled to address it.³⁶ Blasphemous sovereigns are those who command a belief in a god other than the "true god" manifest as justice, modesty, honor, and equity. Recounting the biblical story of the prophet Elisha and Naaman—the Syrian slave and Christian convert who was compelled to bow in the house of Rimmon—Hobbes writes: "This the Prophet approved, and bid him *Goe in peace*. Here Naaman *beleevved in his heart*; but by bowing before the Idol Rimmon, he denied the true God in effect, as much as if he had done it with his lips."³⁷ Following this, Hobbes asks "what shall we answer to our Saviours saying, *Whosoever denyeth me before men, I will deny him before my Father which is in Heaven?*"³⁸ Hobbes's answer is tremendously important: one can supplicate and genuflect in the face of sovereign duress, but in that case the subject's actions are "not his, but his Sovereigns."³⁹ That is, the sovereign reverses the social contractual logic of authorization: it is the sovereign who authors the actions of the people, revealing both the ephemeral nature of his or her obligation and the astoundingly vainglorious character of that sovereign. Hobbes had earlier declared it absurd to resist sovereigns, as it is akin to resisting one's own will. However, this critique cannot stand where faith in any but the "true God" is coerced, as it removes a final lingering critique of resisting a sovereign's *authorized* commands. It is disagreement, not absurdity. In fact, it inverts the critique, ascribing absurdity to the sovereign while allowing subjects to retain rationality.⁴⁰

Later, Hobbes extends his discussion to cases where sovereigns use terror to enforce idolatrous prayer. Hobbes's conclusion is, again, striking:

³⁴Ibid.

³⁵II:xii. 180.

³⁶On this topic, see Martinich, *Two Gods of Leviathan*, 297–98; S. A. Lloyd, *Morality in the Philosophy of Thomas Hobbes: Cases in the Law of Nature* (Cambridge: Cambridge University Press, 2009), 283–87.

³⁷*Leviathan*, vol. 3, *The English and Latin Texts (ii)*, ed. Noel Malcolm, The Clarendon Edition of the Works of Thomas Hobbes (Oxford: Oxford University Press, 2012), xlii. 784 (italics added).

³⁸Ibid.

³⁹Ibid.

⁴⁰See also Lloyd, "Hobbes's Self-Effacing Natural Law Theory," 298–303.

If a King compell a man to it by terrour of Death, or other great corporall punishment, it is not Idolatry: For the Worship which the Sovereign commandeth to bee done unto himself by the terror of his Laws, is not a sign that he that obeyeth him, does inwardly honour him as a God, but that he is desirous to save himselfe from death, or from a miserable life; and that which is not a sign of *internall honor*, is no Worship; and therefore no idolatry. Neither can it bee said, that hee that does it, scandlizeth, or layeth any stumbling block before his Brother; because how wise, or learned soever he be that worshipping in that manner, another man cannot from thence argue, that he approveth it; but that he doth it for fear; and that it is not his act, but the act of his Sovereign.⁴¹

This is a potentially subversive statement on Hobbes's part, one that strikes at the core of the ideological claims of various theories of obligation. At its heart, it is another qualification of the theory of authorization. Hobbes's claim is that in cases where the sovereign uses fear to force obedience, he or she may garner short-term success, but at the cost of undermining the foundations for long-term peace.

This discussion has significant implications for how we understand obligation and political self-consciousness in times of "too much Authority."⁴² It implies that sovereigns who act without virtue and in contradiction to the laws of nature create subjects who reflectively construct a critical subjectivity in inner discordance with society's "conversation" and the sovereigns' will (instantiated, declared, and suspected). Hobbes will later call this "inward, and hearty detestation."⁴³ While Hobbes may not allow for the public rebuke of sovereigns through the redescription of the sovereign as tyrant, he surely allows for private disgust at greed, iniquity, insincerity, and infidelity as a form of internal freedom. Thus, Hobbes continues, "For an unlearned man, that is in the power of an Idolatrous King, or State, if commanded on pain of death to worship before an Idoll, *hee detesteth the Idoll in his heart*, hee doth well; though if he had the fortitude to suffer death, rather than worship it, he should do better."⁴⁴ There are two further political corollaries to this argument that relate specifically to the "unlearned man" (in the next section, I will address the implied fortitudinous learned person who risks suffering death). The first is that subjects who resist internally prepare for the prospective acceptance of a suitably virtuous sovereign replacement. Second, these subjects will begin to reflect on the actions of their fellow subjects, and consider whether they, too, are only feigning observance to the sovereign command. Hobbes's critique of the fool is not operative here.⁴⁵ Inner resistance does not make either the silent or the overt claim that there is no

⁴¹III:xliv. 1034 (italics added).

⁴²II:Epistle Dedicatory. 4.

⁴³II:xliv. 1038.

⁴⁴*Ibid.* (italics added).

⁴⁵II:xv. 224.

justice, or no God. Inner resistance consists of the contemplation as to whether or not one's regime pertains thereto. The point here is not that "the Foole hath sayd in his heart, there is no such thing as Justice."⁴⁶ It is that the sovereign acts as though there were no such thing as justice, while the subject intuits that there is. These are not empty nothings. As chapter 12 of *Leviathan* makes clear, susurrations of discontent can hollow out regimes that, from the outside, appear to be rapt by doctrines of obligation.

IV. Fortitude, Fidelity, and Magnanimity

What, then, of the exceptional figure, who Hobbes describes as having the "fortitude to suffer death" rather than "worship before an Idoll"?⁴⁷ To examine this idea, we can start by tracking a similar exception to Hobbes's discussion of citizens who do not sin by genuflecting. Extending his discussion of founders from chapter 12, in the second half of *Leviathan* Hobbes often refers to the sovereign as "that one chief Pastor... the Civill Sovereign."⁴⁸ Later, in a discussion of the role of the pastor in the directing and teaching of the multitude, Hobbes writes reverently of the time when "Kings were Pastors, or Pastors Kings."⁴⁹ There, in contrast to his discussion of the duties of the subject under a blasphemous sovereign, Hobbes finally takes an overtly critical line against the sovereign. Hobbes begins by considering the exception to the rule of inner freedom. The exception is for those "whose actions are looked at by others, as lights to guide them by."⁵⁰

Hobbes does not afford this eminent figure the same luxury of quietism he affords to the "greatest part" of mankind. Hobbes writes that if pastors (or present or future sovereigns)

of whose knowledge there is a great opinion, doe externall honor to an Idol for feare; unless he make his feare, and unwillingnesse to it, as evident as the worship; he Scandalizeth his Brother, by seeming to approve Idolatry. For his Brother arguing from the action of his teacher, or of him whose knowledge he esteemeth great, concludes it to bee lawfull in it selfe. And this Scandall, is Sin, and a *Scandall given*.⁵¹

The implication is that while the many may be afforded a reprieve for genuflecting to false gods, for certain figures no exceptions are made. Indeed, inner resistance is expressly denied to eminent figures whose social position and natural disposition confers a popular audience. Hobbes concludes that "if a

⁴⁶II:xv. 222.

⁴⁷II:xliv. 1038.

⁴⁸III:xxxix. 734.

⁴⁹III:xliv. 812.

⁵⁰II:xliv. 1038.

⁵¹III:xliv. 1038. For more on "*Scandall given*," see III:1039, editorial footnote bn.

Pastor... has undertaken to teach Christs Doctrine to all nations, should doe the same" — that is, suffer silently, instead of resisting and inviting the punishment of a standing sovereign—"it were not onely a sinfull Scandall, in respect of other Christian mens consciences, but a perfidious forsaking of his charge."⁵² This special individual has a calling to resist (outwardly) precisely because he or she is self-conscious of his or her eminence and knows that his or her actions have influence over the multitude. It is a moral imperative that transcends sovereign command.

What character traits define a person called to resist iniquitous sovereigns? Part of the answer is given in chapter 15 of *Leviathan*, in a discussion of the difference between agents and actions, and how the terms "just" and "unjust" are attributed to each naturally, irrespective of the positive law. For the most part, whether an action is just or unjust is measured by whether those actions conform to reason and manners (i.e., the laws of nature). However, there are exceptional moments where actions anchor rationality and give definition to the manners. "That which gives to humane Actions the relish of Justice," Hobbes writes, "is a certain Noblenesse or Gallantnesse of courage, (rarely found,) by which a man scorns to be beholding for the contentment of his life, to fraud, or breach of promise. This Justice of the Manners, is that which is meant, where Justice is called a Vertue; and Injustice a Vice."⁵³ Hobbes's claim here is that justice is a natural virtue, no matter its name. Certain eminent individuals—that is, individuals marked by "Noblenesse" and "Gallantnesse"—will have the wisdom, the courage, and the calling to identify and defend "true justice,"⁵⁴ and through their actions "[give] it its relish" (note the parallels between the concepts of "true justice," "true religion," and "true God").⁵⁵

Here, however, the problem of vainglory emerges. How are we to distinguish the vainglorious, imposters, and false prophets from eminent individuals?⁵⁶ The answer revolves around Hobbes's understanding of the fortitude of the person who will "suffer death."⁵⁷ That is, again, it turns on an assessment of character. Hobbes uses the term fortitude four times in *Leviathan*.⁵⁸ The first is in reference to magnanimity (to which I will return), and the second speaks of

⁵²III:xliv. 1038.

⁵³II:xv. 226–28.

⁵⁴*Ibid.* (Latin edition).

⁵⁵*Ibid.*.

⁵⁶III:xxxvi. 660. Or, as Hobbes writes elsewhere: "For they that see any strange, and unusuall ability, or defect in a mans mind; unlesse they see withall from what cause it may probably proceed, can hardly think it naturall; and if not naturall, they must needs thinke it supernaturall; and then what can it be, but that either God or the Divell is in him?" (II:viii. 118).

⁵⁷III:xliv. 1038.

⁵⁸II:vi. 86; xv. 242; III:xxxiv. 614; xlv. 1038. On the curious "fourness" of *Leviathan*, see Craig, *The Platonian Leviathan*, 340–46.

fortitude in regard to “the meanes of peaceable, sociable, and comfortable living.”⁵⁹ The third reference echoes Hobbes’s discussion of the prophetic role of founders in chapter 12 and clarifies the conceptual affinities between Hobbes’s discussions of fortitude and new foundations. There, in a discussion of the “*extraordinary gifts of the Vnderstanding*” (a trait that corresponds to the discussion of religious founders),⁶⁰ Hobbes examines the relationship between wisdom and the “*Spirit of God*,” which he describes as “*extraordinary Understanding... the Gift of God*.” Hobbes cites similar passages from Exodus and quotes Isaiah: “Where the Prophet speaking of the Messiah, saith, *The Spirit of the Lord shall abide upon him, the Spirit of wisdome and understanding, the Spirit of counsell, and fortitude; and the Spirit of the fear of the Lord*. Where manifestly is meant, not so many Ghosts, but so many eminent *graces* that God would give him.”⁶¹ These *graces* manifest as natural gifts of eminent individuals whose knowledge exceeds what is normally afforded by either prudence or sapience. They are what Hobbes had earlier called a “probable token of Divine Revelation.”⁶²

But fortitude can also be feigned. How can vainglory be distinguished from fortitude? Hobbes’s answer appears to turn on the concept of fidelity.⁶³ The first use of the term is in a discussion of counsel. Hobbes writes that “great Assemblies are necessitated to commit such affaires to lesser numbers, and of such persons as are most versed, and in whose fidelity they have the most confidence.”⁶⁴ The second occurrence is in a discussion of natural laws that should guide the actions of the sovereign’s subordinates when they must make independent decisions. Hobbes writes that the “Instructions of naturall Reason may be comprehended under one name of *Fidelity*; which is a branch of naturall Justice.”⁶⁵ However important the question of natural law is here, Hobbes clearly understands it as a second-order concern to natural justice (a concept that Hobbes never uses in relation to the positive laws or contracts specifically, and makes no sense in relation to either Hobbes’s interpretations of natural right or natural law, but which makes some sense by way of virtue ethics).⁶⁶

The third reference to fidelity speaks directly to the problem of vainglorious upstarts:

The Popularity of a potent Subject, (unlesse the Commonwealth have very good caution of his fidelity,) is a dangerous Disease; because the people (which should receive their motion from the Authority of the Sovereign.)

⁵⁹II: xv. 242.

⁶⁰III: xxxiv. 614 (margin heading).

⁶¹Ibid.

⁶²II: xii. 180.

⁶³II: xxv. 410, xxvi. 424, xxix. 516, xxx. 550.

⁶⁴II: xxv. 410.

⁶⁵II: xxvi. 424.

⁶⁶Cf. Gert, “The Law of Nature as the Moral Law.”

by the flattery, and by the reputation of an ambitious man, are drawn away from their obedience to the Lawes, to follow a man, of whose vertues, and designs, they have no knowledge.⁶⁷

The bivocality of this statement is interesting as it implies its (perhaps revolutionary) opposite: fidelity to natural justice justifies the multitude in following a popular and potent leader of virtue and design when that leader's fidelity is eminent. It is possible to differentiate the vainglorious agent from the eminent one, because the grounds for judgment are the natural virtues, which are known—however vaguely—by all.

The final reference to fidelity is found in a discussion of the threat of popular commanders and takes us full circle back to the question of war and virtue. "This love of Souldiers, (if caution be not given of the Commanders fidelity)," Hobbes writes, "is a dangerous thing to Sovereign Power." The significance of this passage—and of Hobbes's discussion of fortitude and fidelity more generally—is made clear in the next paragraph: "To have a known Right to Sovereign Power"—not simply *de facto* sovereign power, but the *known right* to it—"is so popular a quality, as he that has it needs no more, for his own part, to turn the hearts of his Subjects to him."⁶⁸ The ambivalence is telling; the "known right" of sovereign power is a determination to be made on the part of subjects. It is a *popular* quality, irrespective of the formal title holder of sovereign power.⁶⁹ In spite of "the fact of power and the facts of human nature," these conditions lend no motive power to the commonwealth. Lasting peace—peace that exists beyond the shifting fortunes of brute power politics and ideological whim—is secured by way of reverence and love, not fear. Here, Hobbes claims unequivocally that "there is no danger at all from the Popularity of a Subject."⁷⁰ This argument works symbiotically with the earlier discussion of war and honor.

All of these arguments direct our attention to the character of the sovereign as the cause of a regime's flourishing or failure. Which seems problematic, as this discussion appears to run afoul of Hobbes's own critique of virtue ethics. "Writers of Morall Philosophie," Hobbes writes, "though they acknowledge the same Vertues and Vices; Yet not seeing wherein consisted their Goodnesse; nor that they come to be praised, as the meanes of peaceable, sociable, and comfortable living; place them in a mediocrity of passions: as

⁶⁷II:xxix. 516.

⁶⁸II:xxx. 550. I omit the concluding phrase of this sentence ("but that they see him able absolutely to govern his own Family") because it is misleading. Hobbes changed this in the Latin version of *Leviathan*, replacing this phrase (and the preceding and following phrases) with "to conciliate the citizens to him."

⁶⁹Cf. "Reputation of power, is Power; because it draweth with it the adhaerence of those that need protection... . So is Reputation of love of a mans Country, (called Popularity,) for the same Reason" (II:x. 132).

⁷⁰II:xxx. 550.

if not the Cause, but the Degree of daring, made Fortitude; or not the Cause, but the quantity of a gift, made Liberality."⁷¹ It is clearly a critique of Aristotelian virtue ethics, but it surely is not a denunciation of virtue ethics in toto and, importantly, it is not entire in its account of the virtues delineated by Aristotle, leaving out most conspicuously the virtue of magnanimity, to which I now turn.

Leo Strauss first noted that magnanimity, while absent from *Elements* and *De Cive*, is given new prominence in *Leviathan*.⁷² Strauss was compelled to broach this discussion, as Hobbes's return to magnanimity contradicted his interpretation of Hobbes as discursive founder of liberal natural right theory. Unable to reconcile this apparent contradiction, Strauss dismissed Hobbes's discussion of magnanimity as anomalous, asserting that Hobbes was temporarily "confused as to his own real intention."⁷³ We are now positioned to reevaluate whether it was anomalous.

Magnanimity is a puzzling virtue in Aristotle's thought, as it bridges both his ethical and political philosophies while also seemingly standing apart from both.⁷⁴ In the *Nicomachean Ethics*, magnanimity is characterized variously as "greatness of soul" and a "[concern] with great things." The magnanimous man "is thought to be great-souled if he thinks himself worthy of great things and is indeed worthy of them." He (for Aristotle always "he," not so for Hobbes) is "an extreme with regard to the grandness of his claims, but a mean with regard to their correctness," and is "concerned with honours and dishonours in the right way."⁷⁵ Elsewhere, Aristotle writes "the great-souled person, since he is worthy of the greatest things, must be the best person of all. For the better a person is, the greater the things he is worthy of, and the best will be worthy of the greatest things; so the truly great-souled person must be good."⁷⁶ Finally, "The great-souled person looks down on others with justification, because he has the right opinion of himself, but the masses do so capriciously."⁷⁷

Hobbes writes of the ethics of magnanimity in similar ways. "*Contempt of little helps, and hindrances, MAGNANIMITY. ... Magnanimity, in danger of Death, or Wounds, VALOUR, FORTITUDE. ... Magnanimity in the use of Riches,*

⁷¹II:xv. 242.

⁷²Strauss, *Political Philosophy of Hobbes*, 55. For a more recent account of magnanimity in Hobbes, see Corsa, "Thomas Hobbes: Magnanimity, Felicity, and Justice."

⁷³Strauss, *Political Philosophy of Hobbes*, 57.

⁷⁴On magnanimity in Aristotle, see W. F. R. Hardie, "'Magnanimity' in Aristotle's Ethics," *Phronesis* 23, no. 1 (1978): 63–79; Jacob Howland, "Aristotle's Great-Souled Man," *Review of Politics* 64, no. 1 (2002): 27–56.

⁷⁵Aristotle, *Nicomachean Ethics*, ed. Roger Crisp (Cambridge: Cambridge University Press, 2004), 1123b.

⁷⁶*Nic. Eth.* 1123e.

⁷⁷*Nic. Eth.* 1124b.

LIBERALITY."⁷⁸ Magnanimity proceeds "from the conscience of Power."⁷⁹ Hobbes contrasts the "Crooked Wisedome" of pusillanimous agents who use "unjust, or dishonest means" with the wisdom of magnanimous agents who have "contempt of unjust, or dishonest helps."⁸⁰ Like Aristotle, Hobbes sees magnanimity as something like a crowning natural virtue that gives orientation and definition to the other virtues.

There are important differences, however. Magnanimity in Aristotle is unique, because unlike other virtues it is not defined by convention ("For they would be treated unjustly if they were thought to merit equal shares, when they are so unequal in virtue and political power").⁸¹ This was a problem for Aristotle, because it entailed that magnanimity did not pertain to the doctrine of the mean, as magnanimous leaders naturally stand above the multitude and thus above convention.⁸² It is exactly for this reason, however, that Hobbes's critique of virtue as conventionalism is so important, because it means that Aristotle's problem emerges as Hobbes's solution. Hobbes solves Aristotle's problem by inverting the order of operations: magnanimity could anchor convention. For Hobbes, magnanimous actions are exemplary (they are "the Cause"), setting the natural value from which the polity take their moral coordinates. Having thus solved the problem, Hobbes can utilize magnanimity while also criticizing "Aristotelity."⁸³

The political consequences of magnanimity in both Hobbes and Aristotle are strikingly consonant. In the *Politics*, the magnanimous man is described as "so outstanding by reason of his superior virtue that neither the virtue nor the political power of all the others is commensurable with his." The political implications are that "such men can no longer be regarded as part of the city-state." Aristotle's discussion culminates in a claim that has notable affinities with Hobbes's own discussions of sovereignty:

For they would be treated unjustly if they were thought to merit equal shares, when they are so unequal in virtue and political power. For anyone of that sort would reasonably be regarded as a god among human beings. Hence it is clear that legislation too must be concerned with those who are equals both in birth and in power, and that for the other sort there is no law, *since they themselves are law*.⁸⁴

⁷⁸II.vi. 86.

⁷⁹II.x. 140.

⁸⁰II.viii. 110.

⁸¹Aristotle, *Politics*, trans. C. D. C. Reeve (Indianapolis, IN: Hackett, 1998), 1284a.

⁸²*Nic. Eth.* 1106b. As Boonin-Vail has noted, this is not an entirely accurate account of the doctrine of the mean on Hobbes's part (*Thomas Hobbes and the Science of Moral Virtue*, 182).

⁸³III.xlvi. 1074. See also Boonin-Vail, *Thomas Hobbes and the Science of Moral Virtue*, chap. 5.2.

⁸⁴*Pol.* 1284 (italics added).

This passage immediately brings to mind some of the well-known slogans of Hobbes's political philosophy: sovereignty as the soul of the commonwealth, the sovereign as standing outside of the commonwealth, the sovereign as mortal-god. Magnanimity entails the natural rule of an agent, not law. In sum, Aristotle's magnanimous man prefigures many of the marks of sovereignty found in Hobbes.

For these reasons, in *Behemoth*, Hobbes distinguishes between two sets of virtues: the virtues of subjects and the virtues of sovereigns. The virtue of subjects, Hobbes writes, "is comprehended wholly in obedience to the laws of the commonwealth,"⁸⁵ that is to say that the ethics and science of the commonwealth concern just and unjust. By contrast, "The virtues of the sovereigns are such as tend to the maintenance of peace at home, and to the resistance of foreign enemies."⁸⁶ The "royal" virtues that Hobbes mentions are fortitude, frugality ("(though perhaps you will think it strange) ... for it increases the public stock, which cannot be too great for the public use, nor any man too sparing of what he has in trust for the good of others"),⁸⁷ and liberality ("for the commonwealth cannot be well served without extraordinary diligence and service of ministers, and great fidelity to their Sovereign; who ought therefore to be encourage, and especially those that do him service in wars").⁸⁸ Hobbes concludes the important discussion: "In sum, all actions and habits are to be esteemed good or evil by their causes and usefulness in reference to the commonwealth, and not by their mediocrity, nor by their being commended."⁸⁹

V. Self-Preservation, Honor, and War

In Hobbes, the first and most recognizable limit on sovereign power is the right to self-preservation. On the basis of this right, Hobbes posits the right to resist a sovereign's violation thereof.⁹⁰ Much has been made of this argument, and for good reason.⁹¹ However, there are also good reasons to be wary of it especially in regard to the purported limits of Hobbes's argument in explaining war making. At the core of this discussion is Hobbes's claim that there are "some Rights, which no man can be understood by any words, or other signes, to have abandoned, or transferred. As first a man cannot lay

⁸⁵*The English Works of Thomas Hobbes of Malmesbury*, ed. William Molesworth, vol. 6 (London: John Bohn, 1840), 219.

⁸⁶*Ibid.*

⁸⁷*Ibid.*

⁸⁸*Ibid.*, 219–20.

⁸⁹*Ibid.*, 220–21.

⁹⁰II.xiv. 202.

⁹¹Leo Strauss influentially asserted in *Political Philosophy of Hobbes* that this is the founding claim of liberalism.

down the right of resisting them, that assault him by force, to take away his life."⁹² Here, the individual is bound by natural, vital drives to protect his or her life, including resisting the sovereign where it threatens one's life.

While Hobbes holds that it is impossible for one to give up one's right to self-preservation, he surely does not develop that right into a full-fledged theory of resistance. Hobbes discusses, for example, subjects resisting executioners, but the axe falls, no matter what.⁹³ For this reason (and many others) Susanne Sreedhar in her recent study of resistance in Hobbes notes that "we can expect legitimate resistance to be not only relatively rare... but to be entirely unthreatening to the maintenance of the political order."⁹⁴ Sreedhar goes on to conclude that "by appropriating the language of resistance rights, Hobbes undermines actual political resistance."⁹⁵ No matter how one frames the right of resistance in Hobbes, one comes to the same political conclusion: although there is some room for tactical or prudential consideration on the part of the sovereign to take care of the health of the population more generally,⁹⁶ these questions are largely insignificant, as protection alone is enough to command obedience.

The reason why rights discourse is insignificant, however, is instructive, for this reveals altogether different reasons for why citizens feel unobligated to follow the commands of the sovereign. Here, the problem of war is instructive.⁹⁷ Consider Hobbes's claim that "when Armies fight, there is on one side, or both, a running away."⁹⁸ This claim is often taken as exemplary of the political paradox of the right of resistance in Hobbes, because if it holds, it implies that Hobbes cannot explain why wars are ever fought. So, it is worth taking a closer look at Hobbes's claims. Consider first the paragraph preceding the "running away" claim:

No man is bound by the words themselves [i.e., "Consent of a Subject to Sovereign Power"], either to kill himselfe, or any other man; And consequently, that the Obligation a man may sometimes have, upon the Command of the Sovereign to execute any dangerous, or dishonourable Office, dependeth not on the Words of our Submission; but on the Intention; which is to be understood by the End thereof. When therefore our refusall to obey, frustrates the End for which the Soveraignty was ordained; then there is no Liberty to refuse: otherwise there is.⁹⁹

⁹²II:xiv. 202.

⁹³To which we could add that the criminal commits the crime, no matter the axe.

⁹⁴Susanne Sreedhar, *Hobbes on Resistance: Defying the Leviathan* (Cambridge: Cambridge University Press, 2013), 169.

⁹⁵*Ibid.*

⁹⁶II:xxix.

⁹⁷On the causes of war in Hobbes, see Arash Abizadeh, "Hobbes on the Causes of War: A Disagreement Theory," *American Political Science Review* 105, no. 2 (2011): 298–315.

⁹⁸II:xxi. 338.

⁹⁹*Ibid.*

Hobbes cites two reasons for not executing sovereign command: dangerous office and dishonorable office. Does either countenance “running away”?

Regarding dangerous offices, the answer is clearly not. Hobbes's claim is not that the fear of a “dangerous office” naturally trumps sovereign command. Instead, he posits that there are conditions for evaluating whether one should carry out a sovereign's dangerous commands—a question of judgment on the part of the subject. The foremost condition regards the affinity (or lack thereof) between the command and “the End for which the Soveraignty was ordained.”¹⁰⁰ These ends include security and peace, but they also include justice, commodious living, and flourishing. Here a choice has to be made. Where individuals have come to their own evaluations regarding the existential threat to the commonwealth (*not* only their egoistic self-preservation, their communal self-preservation), and, further, where the ends of the commonwealth are judged as having been upheld by the standing sovereign, Hobbes writes that there is in fact no liberty to refuse at all. Even further, Hobbes holds that citizens will feel themselves obliged, as he writes in the Review and Conclusion, “to protect in Warre, the Authority, by which he is himself protected in time of Peace.”¹⁰¹ Here, Hobbes assigns the communal good priority over the good of self-preservation, the reverse of the position usually afforded to him.¹⁰²

What of dishonorable office? This question turns primarily on the kind of (dis)honor that the sovereign commands. Hobbes distinguishes between two kinds of honor: “things Honorable by Nature; as the effects of Courage, Magnanimity, Strength, Wisdome, and other abilities of body and mind: Others made Honorable by the Common-wealth; as Badges, Titles, Offices, or any Other singular marke of the Soveraigns favour.”¹⁰³ The latter group are derivatives of command. On that account, “dishonorable Office” is oxymoronic as both honor and office are ultimately based on commands of the sovereign. This means that Hobbes must understand the citizens' measure of (dis)honor as referring to the former group of prepolitical natural honors. Hence, returning to the question of (dis)honor and war, Hobbes's claim appears to be that there is both an imperative for resisting commands that are dishonorable or would bring about dishonor to the commonwealth, and a natural obligation to carry them out when they are judged honorable.¹⁰⁴ Read as such, Hobbes's discussion does

¹⁰⁰Ibid.

¹⁰¹III: Review and Conclusion. 1133.

¹⁰²II:xxi. 338–40. For an alternative account of war making in Hobbes, see Deborah Baumgold, “Subjects and Soldiers: Hobbes on Military Service,” *History of Political Thought* 4, no. 1 (1983): 43–64.

¹⁰³II:xxviii. 490.

¹⁰⁴David Dyzenhaus comes to a similar conclusion in “Hobbes and the Legitimacy of Law,” *Law and Philosophy* 20, no. 5 (2001): 461–98.

not appear particularly modern. Instead, it appears to hark back to Plato's *Apology*, where Socrates reflected on having grappled with exactly such a dilemma.¹⁰⁵

Hobbes's subsequent discussion regarding desertion allows a similar interpretation. His first claim is that "a man that is commanded as a Souldier to fight against the enemy, though his Sovereign have Right enough to punish his refusall with death, may neverthesse in many cases refuse, without Injustice."¹⁰⁶ Does this claim indicate, as one commentator writes, Hobbes's "steadfast dedication to the principle of self-preservation"?¹⁰⁷ Surely not. Although one can see where the liberal individualist interpretation could apply, Hobbes is *not* making a claim regarding an essential trait of human nature. First, the claim specifies "in many cases," not all (dialed down further to "in some cases" in the Latin edition). Hobbes then describes one of those cases: "As when he substituteth a sufficient Souldier in his place: for in this case he deserteth not the service of the Common-Wealth."¹⁰⁸ If Hobbes is assuming that cowards will find their replacement, his observations cannot be reflections on human nature.

These are the conditions framing Hobbes's celebrated claim that "when Armies fight, there is on one side, or both, a running away; yet when they do it not out of treachery, but fear, they are not esteemed to do it unjustly, but dishonorably. For the same reason, to avoyd battell, is not Injustice, but Cowardise."¹⁰⁹ Does this claim represent Hobbes's "uncompromising commitment to the individual," as another commentator observed?¹¹⁰ Again, surely not. It is an acknowledgment that an allowance needs to be made for cowards. That people sometimes run from battle is not a significant insight on Hobbes's part, a major contribution to the liberal notion of agency, or a pivotal point in the turn away from the ancients to modernity. It is something of a truism.

Here, one could leave well enough alone. Hobbes does not. "But he that inrowleth himselfe a Souldier," Hobbes continues, following the discussion above,

or taketh imprest mony, taketh away the excuse of a timorous nature; and is obliged, not onely to go to battell, but also not to run from it. ... And

¹⁰⁵Plato, *Apology*, trans. G. M. A. Grube, in *Plato: Complete Works*, ed. D. S. Hutchinson and John M. Cooper (Indianapolis, IN: Hackett, 1997), 32 a–d. For an outstanding account of the influence of Plato on Hobbes's thought in general, see Craig, *The Platonian Leviathan*.

¹⁰⁶II:xxi. 338.

¹⁰⁷Vickie B. Sullivan, *Machiavelli, Hobbes, and the Formation of a Liberal Republicanism in England* (Cambridge: Cambridge University Press, 2006), 109.

¹⁰⁸II:xxi. 338.

¹⁰⁹Ibid.

¹¹⁰Gabriella Slomp, "The Liberal Slip of Thomas Hobbes's Authoritarian Pen," *Critical Review of International Social and Political Philosophy* 13, no. 2–3 (2010): 363.

when the Defence of the Common-wealth, requireth at once the help of all that are able to bear Arms, every one is obliged, because otherwise the Institution of the Common-wealth, which they have not the purpose, or courage to preserve, was in vain.¹¹¹

This passage is sometimes ignored, or explained as representative of Hobbes's own struggle to come to terms with his purported hyperindividualism and protoliberalism.¹¹² Again, however, the confusion is not on Hobbes's part. Here, Hobbes's concern is the honor of the citizen and the virtues of the sovereign, and the ends justifying the foundation of the commonwealth by institution. When one lives in a political society, Hobbes tells us, one has to have the "courage" and "purpose" to protect it in times of danger—not merely for the sake of protection, not because of the social contract, and not because of the dictates of the laws of nature, but substantively for the sake of honor—and one can only muster that strength where there is a sovereign to model it on.¹¹³

In summation, Hobbes's "running away" claim supports the egoist thesis only on the condition that there is no visible virtuous sovereign. Consequently, the inverse pertains: sovereign virtue can motivate a collective "running towards." Furthermore, it follows that where soldiers do run away, the cause of the war itself has been evaluated as unjust. The problem of war cannot be addressed by way of either natural law or natural right interpretations of obligation alone. However, read as a subset of the problem of sovereign virtue, it can be readily solved.

VI. Barbarism and Natural Punishment

This brings us to the final puzzle: how can any of the above be accepted in light of Hobbes's critique of tyrannicide? In both chapters 29 and 30 of *Leviathan*, Hobbes criticizes the republican discourse, redescribing regicide as tyrannicide, obscuring the meaning and significance of the act while at the same time stoking the passions of the vainglorious public. Hobbes concludes that "the name of Tyranny, signifieth nothing more, nor lesse, than the name of Sovereignty, be it in one, or many men, saving that they use the former word, are understood to bee angry with them they call Tyrants."¹¹⁴ Are these claims as absolutely in defense of sovereign impunity as they appear? Almost, but not completely. And the exceptions are, once again, important.

¹¹¹II:xxi. 338–40.

¹¹²Johnson Bagby, *Thomas Hobbes*, 129.

¹¹³Cf. McClure, "War, Madness, and Death."

¹¹⁴III:Review and Conclusion. 1136.

The exception to Hobbes's critique of tyranny is his critique of barbarism.¹¹⁵ Hobbes's critique of barbarism and tyrannophobia share many similarities. For example, both are connected to the defense of custom-as-natural-law held by certain jurists,¹¹⁶ and both often make reference to the Aristotelian absurdities that ground the rebellious discourses of Hobbes's day.¹¹⁷ The difference is that where Hobbes sets out to defend the ancient institution of tyranny as a once-lauded description of sovereignty, he is quite open in using the term "barbaric" to attack brutal governance. Indeed, Hobbes opens *Leviathan* with just such a critique. Alluding to the Capitoline Geese, in the Epistle Dedicatory of *Leviathan*, Hobbes characterizes himself as defending the seat of power against barbarians both internal and external to the republic. In the introduction, and quite explicitly, Hobbes notes that *nosce teipsum* (used in reference to the "Artificer" of a commonwealth) should not be used "to countenance... the barbarous state of men in power, towards their inferiors."¹¹⁸

In similar tones, Hobbes asserts that although the language of the tumult is found in the books of the philosophers, the *fault* for that barbarous language falls squarely on the sovereigns, whom he calls "accessaries to their own, and the Publique damage."¹¹⁹ "I blame those," Hobbes continues, "that in the beginning, when their power was entire, by suffering such Doctrines to be forged in the Universities of their own Dominions, have holden to Stirrop to all the succeeding Popes, whilst they mounted into the Thrones of all Christian Sovereigns, to ride, and tire, both them, and their people, at their pleasure."¹²⁰ And elsewhere, he writes: "To be severe to People, is to punish ignorance, which may in great part be imputed to the Sovereign, whose fault it was, they were no better instructed."¹²¹ Final responsibility for political upheaval falls on those sovereigns who ride roughshod over the people.

Most importantly, Hobbes brings the second part of *Leviathan* to a close by addressing the vices of egoistic and barbaric sovereigns, a discussion that relies on the new idea of "natural punishment":

There is no action of man in this life, that is not the beginning of so long a chayn of Consequences, as no humane Providence, is high enough, to give

¹¹⁵It is worth flagging that there is also something askew with Hobbes's memorable critique of tyranny as being something akin to rabies, pointing again to a sort of bivocal irony which is quite in line with the argument I have set out. Hobbes compared republican "tyrannophobia" to the hydrophobia of rabid dogs, where the people—the corporate body of the state—reject that which they need (a strong monarchy). This is interesting, because hydrophobia is a *symptom* of rabies, and the disease is neurological.

¹¹⁶II:xi. 158.

¹¹⁷II:xlvi. 1090–98.

¹¹⁸II:Introduction. 18.

¹¹⁹II:xlvii. 1112–14.

¹²⁰Ibid.

¹²¹II:xxx. 544.

a man a prospect to the end. And in this Chayn, there are linked together both pleasing and unpleasing events; in such manner, as he that will do any thing for his pleasure, must engage himselfe to suffer all the pains annexed to it; and these pains, are the Naturall Punishments of those actions, which are the beginning of more Harme than Good. And hereby it comes to passe, that Intemperance, is naturally punished with Diseases; Rashnesse, with Mischances; Injustice, with the Violence of Enemies; Pride, with Ruine; Cowardise, with Oppression; Negligent government of Princes, with Rebellion; and Rebellion, with Slaughter. For seeing Punishments are consequent to the breach of Lawes; Naturall Punishments must be naturally consequent to the breach of the Lawes of Nature; and therefore follow them as their naturall, not arbitrary, effects.¹²²

Those faults deserving of natural punishment all stem from questions of character. Sovereign egoism (in contrast to love, section II) is naturally punished with rebellion. Sovereign intemperance—a vice that Hobbes had earlier identified as akin to drunkenness and “reckoned amongst those things which the Law of Nature hath forbidden”—is punishable with disease (perhaps the disease of tyrannophobia).¹²³ Rash, iniquitous, prideful, or pusillanimous leaders are naturally punished. The rot of a leviathan often begins in its head.

VII. Conclusion

The rhetorical weight of *Leviathan* bolsters various ideologies, with the ends of all to convince subjects of their elemental obligations to the sovereign. That is, it is meant to teach citizens “how to obey.”¹²⁴ Those ideological programs all turn on basic presuppositions regarding the “facts of power and the facts of human nature.”¹²⁵ Hobbes, however, also teaches sovereigns “how to govern,”¹²⁶ and from this perspective, the politics of obligation look quite different. Here, Hobbes speaks to a different set of facts of human nature and facts of power. Regarding the facts of human nature, it is not merely human egoism that is operative. Instead, sovereigns need also take into account additional aspects of human nature: the facts of natural curiosity, natural judgment, and natural honor. The “fact” of power, from the point of view of sovereigns, is that it is fickle. “Awe”—the power to create and maintain a flourishing commonwealth—is grounded on the instantiation and persuasive representation of sovereign virtue. Awe is almost ephemeral, but it founds regimes, legitimates punishment, and helps win wars. Awe, at

¹²²II:xxxi. 572.

¹²³II:xv. 238.

¹²⁴II:xxxi. 574.

¹²⁵Hoekstra, “The de Facto Turn in Hobbes’s Political Philosophy,” 72.

¹²⁶II:xxxi. 574.

its best, makes ideological defenses of sovereignty superfluous. By contrast, power as sheer force, as “terror,” is also fickle but for different reasons. Though force is necessary for maintaining order, in the absence of sovereign virtue—where a sovereign’s sincerity is in doubt, where the sovereign’s own affairs appear to have priority, and where a sovereign’s claims appear absurd—force becomes a questionable basis of protection from external violence and, internally, itself a plausible threat to citizens. Here, ideologies of obligation are a salve for deficiencies in sovereign character, but they are not a cure.

None of the arguments presented regarding sovereign virtue necessarily contradicts either the natural law or natural rights interpretations of obligation in Hobbes. These interpretations are not exclusive. Indeed, it appears as though there is a functional interoperability between these modes of obligation. A full account of the dynamics of that interoperation is beyond the scope of this article, but some concluding reflections could be hazarded.

The sovereign virtuousness thesis appears to solve for certain problems inherent in each, thereby assuring their sustainability. Thus, the foremost benefit of the natural right argument is that it grounds Hobbes’s theory of obligation in natural egoistic postulates. One of the problems inherent to that argument—similar to the problem with *de facto*ism—is that it makes it difficult to see why any agent would submit to a sovereign in the first place. Similarly, it cannot account for how states fight and win wars. The problem here derives from the limited account of human nature provided. If we extend that account of human nature to the sovereign as well, then we arrive at a paradox, as it is not clear why citizens would feel obligation to such an agent. After all, if sovereigns are as egoistic as the multitude in the state of nature, it is not clear why politics would not be understood as a continuation of war by other means. The sovereign virtue argument agrees that this system is untenable, but further asserts (following Hobbes), first, a distinction between the character of the multitude and the character of the sovereign, and second (again, following Hobbes), extends the repertoire of human nature to include judgment and curiosity. Thereby, it allows the natural right interpretation of obligation to hold during normal periods, while also accounting for the exceptional moments in the life of a state.

The sovereign virtue argument can likewise sustain the deontological and natural law readings by similar means, showing that silver rule ethics (“do not unto others...”) are made motivational where the sovereign does the heavy ethical lifting of instantiating the golden rule ethics. Here, neither reason nor God has to be understood as having autonomous normative power to compel the many to act justly. However, the sovereign does need to be acknowledged as a rational mortal god who substantiates the highest virtues (thus placing significant burdens on the character of the sovereign). On this reading, sovereigns are not obliged by the natural laws. Instead, sovereign virtuousness allows citizens to consider themselves obliged by the natural law.

The measure of the sovereign turns on the virtues, specifically the crowning virtue of magnanimity. For this reason, Hobbes writes “by the nature of their Institution, they are designed to live, as long as Man-kind, or as the Lawes of Nature, or as Justice it selfe, which gives them life. Therefore when they come to be dissolved, not by externall violence, but intestine disorder, the fault is not in men, as they are the *Matter*; but as they are the *Makers*, and orderers of them.”¹²⁷ “Justice it selfe,” Hobbes writes, gives life to the laws of nature, and provides the commonwealth its motivation. The onus falls on the *Makers*—the sovereigns—to give justice life.

¹²⁷II:xxix. 498.