



Theory of Thomas Hobbes on the necessity to move from the state of nature and form a state

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Abstract

This study demonstrated the theory of Thomas Hobbes on the necessity to move from the state of nature and form a state. Law is a prerequisite for ensuring peace, tranquillity and effective governance in a society. When law is in place, it fosters human beings' interaction with each other and creates a conducive environment for socio-economic empowerment. In the state of nature, according to Thomas Hobbes, there existed no government, no law, and nobody was above the other. There was no law, industry, civilisation, social life, economic and political order. If there was no law in place, then there was no morality. If there was no morality, then there was no justice or injustice. Life here was characterised by brutality, selfishness, and solitude and hence was short. The study was guided by Thomas Hobbes's political theory, which emphasises consent and consensus in the formation of government so as to move from the state of nature where life was unbearable. The study was library-based, and the researcher used a purposive sampling method to purposely sample three books that are inclined to materials related to Thomas Hobbes's political theory on the state of nature. The data was collected through reading texts, both published and unpublished. The location of the study was Chuka University Library. The study adopted a descriptive design and used a critical method that questions assumptions, examines the evidence, identifies biases, and strives for a deeper understanding of the state of nature and the necessity of forming a society. The study found that there is a need to have an organised society guided by law. The study recommended the need for equal distribution of resources.

Key terms: Humanities, law, leviathan, state of nature, theory.

INTRODUCTION

The state of nature is a state of disorder where there is no industry, no civilisation and people live in fear for one another. Life here is brutish, solitary, selfish and eventually short. Thomas Hobbes was a 17th-century philosopher born in England. His philosophy was shaped by the political turmoil. Hobbes opines that since people realised the negative implications of this state of life, they decided to form a society with a central power headed by one of their own as a sovereign. This paper aims to uncover life in the state of nature, the need for a government, and the interrelationship between the law and socio-economic development.

To make, keep and implement the law, there must be a government in place. Government arises from the society. Man, by nature, is selfish, and he is always in pursuit of subdue the other so as to remain relevant. Competition and glory-seeking that lead to diffidence have brought negative implications in society. Corruption, abductions, massive killing of the political competitors, looting of public resources. Despite the constitution of Kenya chapter four providing the legal framework for human rights, chapter six on integrity amongst the public servants, there have been cases of abductions and killings of the political activists by the state, especially during the anti-2024-2025 finance bill by the youths and politicians to settle political scores. Corruption has become rampant in the government as a result of people trying to outshine others through competition, leading to diffidence. All these violate human rights and go against the set moral standards in society. These practices have created an environment similar to the one described by Thomas Hobbes in his political views: the state of nature.

Despite several studies on law and governance, little has been done on the measures to ensure people leave the state of nature practices and live in harmony with others. Elections are done to ensure there are competent people in the positions and to ensure people live in peace in society. On the contrary, due to the human selfishness nature described by Hobbes, they start looting and using public resources to benefit themselves and their own people. Thomas Hobbes's theory emphasises three main factors that make life in the state of nature unbearable. Competition, glory-seeking and diffidence. All these are a result of

human's selfish nature. This is the political phenomenon in Kenya where, due to scarcity of resources, people try to eliminate others so as to remain relevant and acquire more. Studies have been done on governance, but there has been no link between human nature, law and governance. By using Hobbes, this study endeavoured to show the importance and need to overcome these challenges by adhering to the rule of law.

LITERATURE REVIEW

State of Nature

Hobbes begins his political theory with a description of human nature in the state of nature. Thomas Hobbes was influenced by Galileo Galilei, whose scientific principles indicate that mechanical laws are established and that everything within the universe is in motion. This line of thought influenced his analysis of man's nature. His argument is that man's nature got perfection through motion. He held that appetite and aversion are parts of man's abnormal nature, which cause each man to seek his own goal, his self-preservation in whatever he does and these goals are decided by the aversion, will and appetite (Hobbes, 1651). In the state of nature, competition and glory lead to diffidence. In the state of nature, there was no law, morality, justice or injustice. "The natural condition of mankind, according to Hobbes, is a state of war in which life is solitary, poor, nasty, brutish and short because the individuals are in a war of all against all" (Finn,2007). Competition for scarce resources leads people to fight for them, and since there is no law in place and no government, people will strive to outshine the others. To ensure that there is order in society, the government must be in place to ensure the law is made and enforced. Since, in the state of nature, all are equal, they will, in the end, engage in a fight and try to eliminate each other. The notion of equality in Hobbes is unique in that it refers to the equal ability to murder or conquer one another, but it is quite consistent with his notion of power (Sorell, 1986).

John Locke, a sixteenth-century philosopher responding to Hobbes's notion of the state of nature, argues that in the state of nature, man's condition is that of perfect liberty to conduct one's life as he feels without interference from others. This state is not without morality, even though no civil exists (Riley,

2013). Locke's idea can be critiqued in the sense that if all men are free and equal, equality leads to competition, and eventually, competition will lead to war (Macpherson, 1968). It is clear that Locke's notion of the state of nature is contrary to Hobbes's view. Locke argues that the law of nature is given to us by God, and it is the basis of all morality. For him, this law commands that we should not harm others in regard to their life, health, liberty or possessions (Gauthier, 1990). Further, if there is no government in the state of nature, who ensures morality is upheld, and who could question the other since all men are equal? This becomes a fundamental question and criticism of Locke's state of nature. If we follow the argument of John Locke, it will be right to conclude that there is a need for government since when people are left to pursue their own interests and plans, their fellow own have their interests too. When individual interests collide with those of another person, there will be quarrels and fights, and this will necessitate having a government to protect and ensure peace.

Jean Jacques Rousseau's notion of the state of nature is that the state of nature was a peaceful, quixotic time (Marbaniang, 2012). The needs of the people were readily provided by nature; hence, they lived solitary, uncomplicated lives. As the population grew, people introduced division of labour. People started competitions, and this led to the invention of private property, and this led to the fall from the grace of the state of nature. The progress of civilisation substituted subservience/less importance to others for that freedom through reliance, social and economic inequalities, and the extent to which we judge ourselves through comparisons with others. On how we can live without succumbing to the coercion and force of others, Rousseau maintains, by submitting our individual, particular wills to the collective or general will, created through agreement with other free and equal persons (Stumpf, 1994). Rousseau does not give us the procedure for demarcating between the general will and the common will. It is an illogical argument that political consciousness is only attained when people live in a society, but Rousseau argues that civilisation brought about conflicts and war, hence eroding man's political consciousness. Rousseau's theory does not consider the fact that political consciousness is for rational social creatures. Man is, by nature, a social animal. Therefore, buying

the idea of asocial and unconscious political human beings, as proposed by Rousseau, will be illogical. It is important to note that there is a need for a state.

Thomas Hobbes's theory of Sovereignty and Absolute Monarchy

Hobbes' view of the state of nature served as a basis for theories of international law and relations in governance (Sommerville, 1992). Thomas Hobbes, even though he advocated for an absolute and legally unconstrained sovereign, the leviathan, did not advocate for despotic governance. Rather, he endorsed rule by law (Molesworth, 1962). By definition, the Hobbesian sovereign is one who rules (David, 2005). Hobbes opines that it is only the government that has powers, what he calls essential rights of sovereignty, to execute legislation interpretation and enforcement of law. Hobbes suggests that the sovereign cannot act against the law because reason dictates that he do so (Higgws, 1954). Law, sovereign consent, consensus and reason are placed at the Centre of Hobbes's political concept of making up a society and formation of government. Hobbes opined that the sovereign, out of reason, cannot act contrary to the law since the law is an ordinance of reason. In modern society, when the sovereign tends to break the law by acting against its provisions, the consequences are negative. Corruption, nepotism, brutal killings to maintain political seats and other economic crimes.

Thomas Hobbes's View on Human Nature and its Impact on Governance

In the natural condition of mankind, the state of nature people are equal despite minor differences in strength and mental acuity. When people are equal without any authority checking and bringing balances in their conduct, they will act in line with their will and are always in search of Good. Each will pursue what is good for him. This equality can be seen as peculiar since it refers to the ability to conquer and kill one another, but it is quite consistent with his notion of power (Lloyd, 1992). The equality in the state of nature and bearing in mind the selfish nature of human beings will lead to competition, distrust and glory. The competition will lead to conflict due to the scarcity of resources, and people will become enemies (Sorell, 1986). In order to bring Hobbes's thinking into modern governance, it is important to interrogate the state of

nature in its ontological complexity (Habermas, 1987). In a state of nature where men are equal, governance is difficult because of law and morality. Justice and injustice do not exist in such a state. Where there is no common power, there is no law; where there is no law, there is no injustice (Fredrick, 1995). Man, by nature, is selfish, willing, and wishing to benefit himself. He is always propelled and willed to acquire and gain what is good for him and avoid what is bad for him (Hobbes, 1651).

Considering human nature to be one characterised by greed and selfishness, there must be a way to bring checks and balances since governing such a person is not an easy task. Hobbes introduces fundamental human equality through natural law. Thus, humans are equally free to pursue whatever end they are drawn to in whatever possible way. "This equality is not based on substantive characteristics but on the structural equality of unrestricted behaviour" (Gauthier, 1969). The equality of unrestricted behaviour promotes an equilibrium of fear. Since human beings are free to choose their strategy on how to pursue certain ends, every interaction in the course of pursuing certain ends represents a situation of existential uncertainty (Herbert, 1989). This encompasses an awareness of the fact that one's own existence is undetermined but it is finite. This freedom in present-day governance leads one to realise that his political and other leadership roles are transient and uncertain, and therefore, our selfish nature, as opined by Hobbes, leads one to use that opportunity to grab public resources. After all, Hobbes describes two overarching strategies that guide behaviour in such interactions: the strategy of cooperation and the strategy of violence. Hobbes says that man is a God to man, and Man is a wolf to Man (Hobbes, 1998).

Theoretical Framework

This paper will adopt Thomas Hobbes' political theory. Thomas Hobbes was born in Malmsbury, England, in 1588. He is known for his social contract theory, which is famously known as leviathan. Hobbes's political theory paints a picture of life in the state of nature. In the state of nature, Hobbes paints a picture of lawlessness and absolute freedom, which are characterised by equality among all people. Men struggled for self-preservation. In pursuit of this objective, Hobbes claims that all men are equal in the

state of nature, where nobody interferes with another person's freedom. In this state, life was full of competition for scarce resources, and because of selfish man's nature, they used to fight so as to acquire more for themselves. Life here was solitary, brutish and short. Explaining the reason behind this claim, he says that they are equal and can do equal things one against the other, but those who can do the greatest things, namely murder, can do equal things. As a result, all men are by nature equal among themselves (Peters, 1956). In addition to the claim on the equality of men, Hobbes also holds that all men are equally rational in the state of nature. They use their rationality to attain their goals. As a result of man's selfishness and competitive nature, they become enemies of one another and try all means possible to eliminate each other for self-preservation. This theory will lead the study by use of the critical method. The Critical method of research is a systematic approach to analysing and evaluating ideas, theories, and concepts in a rigorous and objective manner (Higgws, 1954). It involves questioning assumptions, examining evidence, identifying biases, and striving for a deeper understanding. The critical method offers an internal or immanent criticism in the form of resistance to Contemporary society. Thomas Hobbes's political theory has an impact on the current society, especially in governance.

RESEARCH METHODOLOGY

This study employed a descriptive research design to identify and analyse Thomas Hobbes's political theory and his concept of the state of nature. This method helped the study gather data, analyse, organise, and present the collected facts. The research made use of print and online books, articles, journals and websites to critically analyse and examine Hobbes's conception of the state of nature and its place in law and governance. This was a result of logical construction, formulation of arguments and critical analysis of facts that concern human nature, state of nature, law and governance. This descriptive design led to the development of significant ideas that can be used by political philosophers, legislators, policymakers, researchers and any other party interested in the interrelationship between human nature, the state of nature, law and governance. A purposive sampling method was used in this study. This method was suitable because the books that were sampled were

the only ones that aligned with this study. Purposive sampling was used to select fifteen books that deal with Thomas Hobbes's political theory of public participation and governance. These books contain relevant information on Thomas Hobbes's political theory on the state of nature and the need for a state. The study was library-based and used secondary sources. Chuka University library was used because it is equipped with rich philosophical materials related to this study.

RESULTS AND DISCUSSION

From the study, it was noted that in the state of nature, there was no law guiding human behaviour. All people were equal, and they all pursued their own self-interests and self-perservations. If there is no law, people decide what to do and what they think is right. This leads to war since when each decides what is right for him or her, their personal interests will collide, hence the war. When there is no law, there is no morality. People used to kill each other so as to outshine each other and remain powerful. From the study findings, it was established that in the state of nature, resources are scarce, and two people would want the same thing. Since there was no law in existence, the strong would subdue the weak to the extent of killing. This means the concept of justice in the state of nature was non-existent. All people were equal, and everybody did what he felt was right for his self-preservation. Further, the study showed that law is important in ensuring human conduct is censored so as to avoid men killing each other as a result of their selfish interests.

From the study findings, it was established that, in the state of nature, no concept of human rights existed. People were all equal, and nobody used to check the behaviour of others. Nobody could protect the right to life, freedom of expression, and right to own private property since all had equal rights. Human beings compete with each other as a result of scarce resources. Considering that human nature is selfish, the study found that people would try all they could to eliminate each other so as to accumulate more wealth. The study revealed that competition and glory-seeking lead to diffidence in the state of nature. As a result of these three aspects, mistrust develops among the people, and everyone is afraid of each other.

The study established that in the state of nature, there was no social life, economic progress, political stability, or industry, and there was room for civilisation and religious practices and formations. Life was solitary, poor, nasty and short. Further, the study established that government came into place as a result of human consent, consensus, and free will to escape the misfortunes of life in the state of nature. The study established that Hobbes's theory is different from other political theorists. For John Locke, the State of Nature is a different type of place, and hence, his argument about the social contract and the nature of men's relationship to power is consequently quite different.

The natural state of mankind or the State of Nature, according to Locke, is a state of perfect and total liberty to live one's life as one best sees fit, free from the influence of others. For him, the Law of Nature is the foundation of all morality and, given to us by God, requires that we not harm others in terms of their life, health, liberty, or possessions (Gauthier, 1990). In the state of nature, it is a peaceful state. When people are left to pursue their own interests, their fellow members have their interests too. The issue, therefore, remains on what will happen if one's interests cross the other person's. There will be quarrels and fights. Locke does not give us the mechanisms on who will ensure the natural law is put into practice and who will appoint the person in charge to ensure the lawbreakers are punished.

According to Rousseau, the State of Nature was a peaceful and quixotic time (Nozick, 1974). "People lived solitary, uncomplicated lives. Their few needs were easily satisfied by nature. Because of the abundance of nature and the small size of the population, competition was non-existent, and people rarely even saw one another, much less had reason for conflict or fear. Moreover, these simple, morally pure persons were naturally endowed with the capacity for pity and, therefore, were not inclined to bring harm to one another. As time passed, however, humanity faced certain changes" (Green, 1993). As the overall population grew, the methods by which people could satisfy their demands had to change. People gradually began to live together in small families and then in small communities. "Divisions of labour were introduced, both within and between families, and

discoveries and inventions made life easier, giving rise to leisure time" (Russell, 1995). Such leisure time inevitably leads people to make comparisons between themselves and others, resulting in public values and, shame and envy, as well as pride and contempt. From the argument of Rousseau, it is important to point out the illogical argument that political consciousness is only attained when people live in a society, but Rousseau argues that civilisation brought about conflicts and war, hence eroding man's political consciousness. It is worth noting that Hobbes's political theory outstands Rousseau in that the state of nature should have been a state of lawlessness since if we agreed with Rousseau, we would be illogical. Political consciousness develops as people live in a society.

CONCLUSION

From the study findings, it can be concluded that the government plays a critical role in ensuring peace, tranquillity, and effective governance in industry, social, economic, and effective governance as a result of implementing the laws. Men, by nature, are selfish, and as a result of this selfishness, they fight every day in the state of nature so as to eliminate one another. Human wants are scarce, and this leads to competition that leads to glory-seeking, which eventually leads to diffidence. In the state of nature where life is characterised by solitude, selfishness and shortness, there needs to be a body to ensure human rights are safeguarded and protected. Consent, consensus and free will are at the centre of the formation of a society. People themselves need to give themselves freely to a sovereign to govern them. Law becomes an important tool in ensuring human rights are taken care of and safeguarded by providing a framework for punishing wrongdoers and lawbreakers.

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