HOBBESIAN UNDERSTANDING OF WAR AND PEACE, STATE AND SOCIETY

ABSTRACT

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Peace and war are perennial themes in international relations, attention is paid to both victors and the vanquished. Related to this, in his great work Leviathan, Hobbes develops a theory of rights which has not garnered the attention it deserves. One particular reason for this concerns the rights Hobbes describes for subjects being regarded as lacking credibility or strength once a sovereign is instituted, due to the absolute power of the sovereign. The rights that subjects hold are considered to be natural rights, which exist in the state of nature and only to be relinquished once the sovereign is in place. The scholarly narrative views Hobbesian subjects, as giving up all their natural rights to the sovereign. Focusing upon the union pact as well as other novel concepts, I use inductive arguments to arrive at the Hobbesian proposition that change from one civil government to another can be made through war, i.e., by passing through the state of nature in which life is nasty, brutish and short.

Keywords: *Hobbes, Philosophy, State, Political Theory, International Relations, Anarchy.*

HOBBESÇU ANLAYIŞA GÖRE SAVAŞ VE BARIŞ, DEVLET VE TOPLUM

ÖZET

Barış ve savaş, uluslararası ilişkilerin daimi temalardır, ve burada ilgi hem galiplere hem de mağluplara gösterilir. Bununla bağlantılı olarak Hobbes, belki de en büyük çalışması olan Leviathan'da, hak ettiği kadar dikkate alınmamış bir haklar teorisi geliştirir. Bunun özel bir nedeni, Hobbes'un şahıslar için, hükümdarın mutlak gücü nedeniyle bir hükümdar kurulduktan sonra güvenilirlikten veya güçten yoksun olarak görülen haklarla ilgili olmasındandır. Şahıslarn sahip olduğu haklar, doğa durumunda var olan ve ancak hükümdar yerine geldiğinde vazgeçilecek doğal haklar olarak kabul edilir. Bilimsel anlatı, Hobbesçu halkı hükümdara tüm doğal haklarından vazgeçmiş olarak görür. Birleşme paktına ve diğer yeni kavramlara odaklanarak, Hobbesçu önermeye varmak için tümevarımsal argümanlar kullanarak bir sivil hükümetten diğerine geçişin savaş yoluyla, mümkün olduğunu yani doğa durumundan geçerek, yaşamın kötü, vahşi ve kısa olduğu söylenebilir.

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1. INTRODUCTION

International relations is usually understood as states engaging with each other. Power tends to be given an important role, in providing insights into states actions. The international environment is considered to be a system composed mainly of states, with other actors such as international organisations also possessing the means to participate. To make sense of international relations, one must have a sound grounding concerning the philosophical underlying principles and assumptions concerning the state.

The article possesses the main aim of demonstrating that an understanding of Hobbes's political theory and its influence on the emergence of a state that regulates through laws, the connection between political theory and law, of how it can overcome natural anarchy and war, and how it can carry out through a pact which generates a state that guarantees peace and security. The agreement or contract that allows individuals to organize in society under a political and legal order is identified by Hobbes as a pact of union, on which he bases his contractualist theory alongside his theory of the State, with "human beings who are radically individualistic, who cannot have any meaningful discourse, and who look at each other solely as threats" (Johnson,2020:6).

The arguments are organized as follows: In the first aspect, interpretation of the pact of the union, Hobbes' political philosophy and its connection with the State are presented. Following thereafter, an exercise is carried out to understand the "social contract" and the appearance of the modern State; and, in the final instance, an application is made in which the principle of legality is located as the foundation of the social contract. This research aims to understand what Hobbes' political theory consists of through an interpretation of his political texts, to evaluate its importance in the development of the modern state and to review its implications in law.

The understanding of Hobbes' political theory, presented in this work, is pertinent because it allows one to trace the foundations, characteristics and aims of the modern state and to review the political as well as legal implications in the development of the state. Regarding the implications, this article suggests that the principle of legality and its influence on legal affairs found in Hobbes's political theory forms the bases for its contemporary construction and development.

2. THOMAS HOBBES' POLITICAL PHILOSOPHY

When trying to categorise international relations, a binary approach is still preferred. Are States involved in war or peace? Is the international system characterised by ongoing conflict or enduring harmony? Who or what are the primary actors on the international stage? Hobbes'

understanding moves from the dichotomy between natural anarchy and the establishment of peace, which is solved with the appearance of the State. Hobbesian political thought moves on this dichotomy and its solution, illustrating itself as the first attempt, which in modernity, tries to answer the just life of man and the just order of society. This need for justice undoubtedly requires a change in the way science is carried out and therefore a change in method.

As Strauss (1963:1) notes "Hobbes was the first who felt the necessity of seeking, and succeeded in finding, a nuova scienza of man and State." It is clear that the change in the way of conducting science and the modification of the method make Hobbes's political thought appear as a fundamental foundation when it comes to the understanding of political philosophy in modernity. Furthermore, one must underline the political importance of his work through stressing "the fact that the ideal of civilization in its modern form, the ideal both of the bourgeois-capitalist development and of the socialist movement, was founded and expounded by Hobbes with a depth, clarity and sincerity never rivalled before or since" (Strauss vd., 1963:1).

For Bobbio (1993), two dichotomies are used in the different theories of the State: the first one is as an oppression-freedom relationship, and the second one is an anarchic-unity relationship. Under this anarchy-unity logic, it highlights Hobbes' primary interest as limiting the power of men since excess power causes anarchy and from anarchy derives the war of all against everyone. Afterwards, the establishment of peace and the achievement of security are required. Peace and security are achieved through the attainment of unity, which only manifests itself with the appearance of a third that regulates natural anarchy and promotes the establishment of peace, which indicates that Hobbes' political philosophy is based on the concepts of natural anarchy and war of all against all.

Natural anarchy is linked to the naturalistic conception of human appetite that Hobbes mentions in his political writings, in them, it can be traced to man as always desiring power and therefore, becoming the enemy of other men whom he attacks with the pretence of overcoming them. Hobbes (2019 a: Chapter 9) maintains that: "Glory, or internal gloriation or triumph of the mind, is that passion which proceedeth from the imagination or conception of our own power, above the power of him that contendeth with us."

What Hobbes affirms is that the human appetite is characterized alongside the aforementioned desire for power but also by an incessant search for recognition, which generates the war of all against all. It is this concept of war of all against all which is presented throughout Hobbes's political work. Hobbes (2019 b), whilst referencing war, assures that it is derived from the idea of the power that men have, of believing themselves superior in comparison with others. This means that the idea of superiority is the origin of war and can be better understood through the concept of vanity.

A second example can be found where Hobbes (1999) identifies that men dominated by vanity are doomed to dispute, which brings forth conflict, thus leading to a war of all against all. Therefore, vanity or the desire for superiority over others is the beginning of this war of all against all. Sabine (1951: 455-477) argues that vanity encourages men to take for themselves what other men want and therefore put themselves in dispute and a desire for superiority. The third incidence of the war of all against all is presented in the Leviathan. Hobbes explains the appearance of war as: "With all this, it is manifest that during the time when men live without a common power that frightens them all, they are in the condition of a state that is called war, a war that is of all against all" (Velasquez, 2016: 584). With the Leviathan, Hobbes illustrates how the process that follows the dispute is the war of all against all, however, with the appearance of a common power, he believes that war can be controlled, and that power should be understood as the state.

After reviewing the relationship established between natural anarchy and the war of all against all, which is solved with the appearance of the State, it is pertinent to interpret how this allows the establishment of peace and the achievement of security. The idea that war generates fear of death and, above all, of quite a violent death, makes the need for peace and security paramount in Hobbesian political thought, which is why Bobbio (vd., 1993:38-56) for example, is so clear in affirming that the concept of security, its connection with the State, with the law and its importance in political theory, is the product of Hobbesian political-juridical thought.

The starting point of the concept of security and its importance in political theory is evident in the writing of Hobbes. In the state of nature, for lack of a superior power which establishes who is right and who is not, individuals by giving up their rights give life to a common power whose essence of the political contract is in the exchange between protection and obedience with the appearance of a State that regulates through laws.

Bobbio (vd., 1993) explains how the pact that gives rise to the state indicates to man that security is more important than freedom, to overcome the war of all against all and achieve the security that allows social coexistence. Likewise, the natural anarchy which generates in man fear for his own life, causes men to cancel their will to triumph and even decide to surrender to their enemies, granting other men recognition and superiority. Hobbes supports the possibility that a man obtains dominion over other people in a kind of kingdom, where there is a lord and many servants. The idea of a servant and a slave can also be read in the Leviathan, where Hobbes (Hobbes. 1996:139) maintains that "The vanquished is not obligated to obey the victor because he is conquered, which is to be beaten taken or put to flight. Rather, it is because the vanquished came in and submitted to the victor. Nor is the victor obliged to spare an enemy due to his rendering himself without the promise of life based on the enemy's discretion. This action of the enemy does not oblige the victor any more than the victor's discretion shall think fit….The master of a servant is the master of all that the servant has and may

exact the use thereof. That means the master can use the servant's goods, labor, own servants, and children as often as the master thinks fit. The servant only has his life by agreeing to be obedient to the master, and that means that the servant has authorized whatever the master shall do. So if a servant refuses to obey the master, and thus is killed, cast into bonds or otherwise punished, the servant himself is the author of these actions, and so cannot accuse the master of injury.'

To achieve peace, Hobbes stipulates that the first thing which must be carried out to form a distinction between ius and lex; where ius is related to rights and lex to the law. From lex arises the first law of nature, which intimately relates the right to the achievement of peace. This is made clear by the first law of nature: "every man, ought to endeavor for peace as far as he has hope of obtaining it, and when he cannot obtain it, he may seek and use all helps and advantages of war" (Forsyth, 1979:196-209). From this results a precept or general rule of reason, under which each man must strive for peace while hoping to achieve it. The first phase of this rule contains the first and fundamental law of nature, namely: seek peace and follow it.

Hobbes accepts that natural anarchy does not guarantee man the preservation of life, for this reason it suggests to the individual a series of rules that aim to make peaceful coexistence possible. The rules suggested by right reason are subordinate to a first rule that Hobbes calls fundamental, which is to seek peace. Bobbio (vd., 1993:56-74) reiterates this by reminding the readers that since in the state of war life is always in danger, the fundamental rule of right reason, and all the rules derived from it, by leading man to peaceful coexistence, come ordered towards the true primary purpose of preserving life.

Bobbio is emphatic in showing that men do not only act for a reason; most of the time men act out of passion and for this reason a State is required, that regulates human behaviours and from an external aspect tells the right reason how to act. Bobbio in his understanding of Hobbes argues that the State is the only way open for man to get out of natural anarchy and to establish peace. Right reason becomes the medium that enables man to understand that the State must take care of the detriments of war, anarchy and the achievement of peace, through binding laws. In many ways, power, which arises from the Hobbesian social pact, is the perfect example of the State: individuals, by giving it life, detach themselves from their rights for the benefit of the sovereign; the man or the assembly to which sovereignty has been conferred, and who has the right to sign and keep the peace.

Hobbesian reason indicates that peace cannot be achieved if each man insists on continuing to live in natural anarchy alongside his insistence on the war of all against all. That is why men, thanks to reason, understand that they cannot have the right to anything, but they detach themselves from freedom and especially, from the freedom to harm others. In this way, giving up freedom is the first step towards achieving peace. The second step is a mutual transfer of ownership rights to a third party.

This third party, the State, is in charge of regulating men's rights, generating security. The solution to the war-security dichotomy can only be established with the appearance of a common power, manifested in a pact, since, war is a state of insecurity, the purpose of the pact is to end the causes of this.

In other words, the search for security is not limited to the preservation of life, in addition to life, Hobbes assures, it is the mission of the state to provide security to all through the promulgation and implementation of good laws (Van Mill, 2014:3-11). For this reason, it is important to affirm that the concept of security, its connection with the State, with the law and its importance in political theory, is the product of Hobbesian political thought.

3. THE HOBBESIAN STATE: THE UNION PACT

The perspective of the State is shown in Hobbes's political philosophy as the third instance of his reflection. In the first instance, Hobbes explains how hostile man by nature confronts other hostile men, generating the war of all against all within anarchy. In the second, it is the fear of death, and especially of violent death, which generates in man the need for peace and security. In the third instance, the State, with its notion of law, issues orders that must be carried out by men in search of the detriment of war and the achievement of security and peace. Hobbes's political philosophy also establishes as a preliminary condition for achieving peace, an agreement between all to leave the state of nature.

The agreement that allows the achievement of peace is identified by Hobbes as stemming from the reconciliation between the pactum societatis and the pactum subjectionis, which allows the appearance of the union pact (Mouffe, 2009:549-561). In the first covenant, individuals decide by common consent to live in society, this is the covenant of men in the state of nature. In the second, the assembled individuals submit to a common power, this is the pact of the State.

In the pactum societatis, Hobbes sees a simple association of people who pursue a common goal in a disorganized way and with excess freedom, which generates a state of nature governed by general insecurity. To found a society, a preliminary agreement must be stipulated, established to create the security conditions of any subsequent agreement, because only through this agreement can a man leave the state of nature and establish the State. What can be interpreted is that to constitute a common power it is necessary to attribute to a single person all his assets, or his possibility of having the right over all things, in addition to this person, the right must be granted so that whoever violates the agreement is punished.

Therefore, it is the possibility of building a common power which is called by Hobbes the pact of the union and is presented in the Leviathan. Hobbes (Hobbes, 2014:150-151) underlines this as: "The only way to erect such a common power, as may be able to defend them from the invasion of

foreigners, and the injuries of one another, and thereby to secure them in such sort as that by their own industry and by the fruits of the earth they may nourish themselves and live contentedly, is to confer all their power and strength upon one man, or upon one assembly of men, that may reduce all their wills, by plurality of voices, unto one will: which is as much as to say, to appoint one man, or assembly of men, to bear their person; and every one to own and acknowledge himself to be author of whatsoever he that so beareth their person shall act, or cause to be acted, in those things which concern the common peace and safety; and therein to submit their wills, everyone to his will, and their judgements to his judgement. This is more than consent or concord; it is a real unity of them all in one and the same person, made by covenant of every man with every man, in such manner as if every man should say to every man: I authorise and give up my right of governing myself to this man, or to this assembly of men, on this condition; that thou give up, thy right to him, and authorise all his actions in like manner. This done, the multitude so united in one person is called a COMMONWEALTH; in Latin, CIVITAS."

The pact of the union is the reconciliation between the pactum societatis and the pactum subjectionis since it maintains that the contracting parties are the singular individuals linked to each other who commit themselves reciprocally to submit to a non-contracting third party, the State. The function that Hobbes attributes to the union pact is to allow human beings to pass from the state of war to the state of peace, instituting a sovereign power. The pact is also characterized by the sovereignty of the state being derived from it through three fundamental attributes: absolute, indivisible and inalienable. Hobbes (Hobbes, 1991) specifies the union pact as a contract in favour of a third party, the signatories assume an obligation, not only with each other but also with the third party which is the State, in whose favour the contract has been stipulated.

The concept of the union pact allows Hobbes to constitute the fundamental principles of the modern state, political unity and legal unity. Through the first, it achieves a unique ordering of the State, and, through the second, the unification of the laws that regulate human behaviour. Such a connection between State and Law is highlighted by Hobbes declaring: "the security of particular men, and, by consequence for the common peace, it is necessary that the right of using the Sword for punishment, be transferred to some Man or Counsell, that Man or Counsell is necessarily understood by Right to have the supreme Power in the City. For he that by Right punisheth at his own discretion, by Right compells all men to all things which he himselfe wills; then which a greater command cannot be imagined" (Baumgold, 2017:206-233).

The contract, which gives rise to the State, is an agreement by which a certain number of individuals decide between themselves to renounce their unlimited right over all things and to surrender their rights and their freedom to a third party to regulate them. Put simply, the basic element of Hobbes' political society is obedience to the sovereign, the covenant of union, forcing individuals to

obey whatever the sovereign commands, regardless of whether the content of the order is fair or unfair. Contractualism, which underpins the appearance of the State in Hobbes, is not democratically oriented; on the contrary, Hobbesian viewpoints share an intrinsic absolute horizon, which thinks of freedom as a pretext for the debauchery of human beings passions.

The union pact allows the appearance of the Hobbesian State as a monstrous machine, as a Leviathan that allows the overcoming of the state of nature and its vision of freedom and only freedom, for a State that has to be not just an authority, but the only authority. Also, one can identify that Hobbes's political theory is based on a pessimistic vision of human nature, being influenced by Thucydides' insistence that the desire for power arises from greed and man's natural fears (Brown, 1987:33-62).

4. CONCLUSION

When investigating the structure of Hobbes' political philosophy itself, Strauss asserts that "Hobbes draws the concrete definition of the aim and quality of the individual will from the mechanistic psychology which precedes political philosophy in the system. This psychology provides as data on the negative side the denial of freedom of will, on the positive, the assertion that man is under all conditions determined by his sense-impressions and by his automatic reactions to those impressions (his desires and passions) rather than by reason" (Strauss vd., 1963:3).

It may be asserted that Hobbes' political theory allows the emergence of a theory of the State, whose purpose is to solve the problems that the individual experiences due to his human condition, through the union of human beings in society. Likewise, for Hobbes, the consolidation of the political and legal unit represented in the State is based on a social contract, which the author of the Leviatan identifies as the pact of the union in which reconciliation is made between the pactum societatis and the pactum subjectionis, that is, where individuals overcome the state of natural anarchy by a State that regulates through laws and guarantees them life, peace and security.

Therefore, it is possible to conclude that the foundation of the principle of legality, in the Hobbesian State, allows one to establish that the State should not focus solely on the forms of legal production, that is, on the construction of the regulations, but should be concerned with the content and development of the said legal production, to ensure compliance with the laws by those associated with the State and thus guarantee compliance with the pact. Thus, when students of international affairs investigate ongoing interactions they undoubtedly delve into a society of states. Therefore, the contemporary international system which comprises of states owes a philosophical debt to Thomas Hobbes in clarifying how man emerged from the state of nature to found himself under the aegis of a state.

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