

## Hobbes on Equality

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*6 March 2008: This is a first draft that I've pulled together in the hopes of making it into something via the workshop process, so comments on all aspects are most welcome. It may become a free-standing article, but in any case I will incorporate some of a later version of it into a book in progress, in a section on the state of nature.*

Seen against the backdrop of widespread acceptance of natural inequality, Thomas Hobbes's statements about human equality are striking. In supplying the premises for his argument for subjection to absolute sovereignty, Hobbes is famous for (among other things) formulating a theory of the natural equality of human beings that then became foundational for modern political thought. Such stories rarely turn out to be so simple.

Consider the aforementioned backdrop. Hobbes is commonly represented as boldly breaking from a hegemonic view of natural inequality that reflected contemporary political arrangements and their accompanying monarchic and aristocratic ideologies, as well as the dominance of Aristotelianism (with its doctrine of fundamental natural inequality). But a claim of natural equality was not new, and there are numerous examples of such a position in the history of Stoic, Christian, and humanist thought. The Stoic assertion of equality was articulated by Cicero in terms that resound to the present day.<sup>1</sup> This was in turn picked up in Roman law, and the *Digest* and *Institutes* state clearly

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<sup>1</sup> [See e.g. Republic 3.22 and Laws 1.10 and 28-9, etc.]

that by nature everyone is free and equal.<sup>2</sup> Many Christian thinkers do not hesitate to endorse the doctrine. So Lactantius writes that ‘the force of justice consists in equality, since all are born in an equal condition’; Ambrose says that ‘Nature...creates us all equals’; and Nicholas of Cusa later holds that ‘by nature men are equal in power and equally free’.<sup>3</sup> It is true that Hobbes’s starting points set him apart from this tradition, and there are fewer antecedents for a claim of natural equality that does not emerge from the belief that we are all created equal by God or are equally subject to him by nature.

Tracing the relations between such ideas about equality and those of Hobbes would be a worthwhile project. I propose to engage here in the different exercise of refining our understanding of what Hobbes means by his own claim of equality, and to trace the argument that supports it and the argument it supports. Such a task should help, and would certainly be helped by, the aforementioned intellectual history; but at this point my analysis is more textual than contextual or intellectual historical. The basic question, which in my view has not yet received an adequate answer, is: what does Hobbes mean when he says that ‘all men are equal’?<sup>4</sup>

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<sup>2</sup> [Digest 1.1.4, 1.5.4, 12.6.64; Institutes 1.2.2.]

<sup>3</sup> Quotations are from *Divine Institutes* 3.21, *The Story of Naboth* 2, and *The Catholic Concordance* 2.14.127, as translated in Oliver O’Donovan and Joan Lockwood O’Donovan, eds., *From Irenaeus to Grotius: A Sourcebook in Christian Political Thought, 100-1625* (Grand Rapids, MI: William B. Eerdmans, 1991), pp. 48, 76, and 544.

<sup>4</sup> *Leviathan* 15.21, p. 76. Cf. *The Elements of Law, Natural and Politic* 1.14.13, 1.14.14; *De cive* 1.11, 1.15; and *Leviathan* 14.18, p. 68. Note that both of these flat statements of equality from *Leviathan* are dropped in the Latin version (in the redaction of 15.21, Hobbes makes clear that what he is denying is the doctrine of a natural hierarchy or social ranking). (References to *Elements* are to part, chapter, and section number, following the edition of Ferdinand Tönnies (London: Frank Cass, 1969); references to *De cive* are to chapter and section [sometimes of the edition of Richard Tuck and Michael Silverthorne, *On the Citizen* (Cambridge University Press, 1998), and sometimes of Charles Cotton’s 1651 translation, but neither is adequate and I will be replacing the translations in due course]; references to *Leviathan* are to chapter and paragraph, followed by the page number of the edition of 1651, given in most modern editions.

*Equality of freedom and right*

The equality that Hobbes refers to is almost always understood as a natural equality of ability, capacity, or power. Sometimes when he refers to equality, however, he is referring instead to the equal *liberty* of human beings in the natural condition. As he says in *Leviathan*: ‘all men equally, are by Nature Free’.<sup>5</sup> If we understand Hobbes to be talking about freedom according to his famous definition in *Leviathan*, as ‘the absence of externall Impediments’,<sup>6</sup> then this is difficult to understand; for the extent to which there are external obstacles to one’s motion in the natural condition will evidently be contingent and variable. Someone living in an area criss-crossed by mountains and streams may meet with more obstacles to motion than one who lives elsewhere, and so is correspondingly less free.

The conception of the natural condition as a condition of liberty stems back to earlier works. In the fourteenth chapter of *The Elements of Law*, for example, the first heading of which states simply ‘Men by nature equal’, Hobbes says that ‘the estate of men in this natural liberty is the estate of war’; it is ‘the estate of liberty and right of all to all’.<sup>7</sup> In *De cive*, Hobbes provides a clue to understanding this, for he writes that even a person who ‘practises the equality of nature, and allows others everything which he allows himself’ will strive to harm others in the state of nature, ‘from the need to defend his property and liberty against the other’.<sup>8</sup> Liberty here is apparently a kind of status, and in particular a condition of self-determination or not being subject to another. At first glance, at least, it looks straightforward that everyone in the state of nature has equal

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<sup>5</sup> *Leviathan* 21.10, p. 111.

<sup>6</sup> *Leviathan* 14.2, p. 64.

<sup>7</sup> *The Elements of Law* 1.14.11, 1.14.12.

<sup>8</sup> *De cive* 1.4. See also *Leviathan* 13.3, p. 61.

natural liberty in this sense, for they are not subjects but free: ‘liberty is the state of him that is not subject’.<sup>9</sup> This would be the counterpart of the equal subjection that is to be found once commonwealth is in place. ‘Freedom cannot stand together with subjection’: just as subjects are without liberty, so those in the state of natural liberty are without subjection.<sup>10</sup>

The sense of natural liberty that Hobbes has in mind in this context, however, is most clearly identified not with lack of subjection, nor with absence of external impediment, but with the bearing of natural right. It is ‘a *right of nature*’, Hobbes assures us, ‘that every man may preserve his own life and limbs, with all the power he hath’; and to have such a right is the same as to have a ‘blameless liberty’.<sup>11</sup> In *Leviathan*, Hobbes defines the right of nature as ‘the Liberty each man hath, to use his own power, as he will himselfe, for the preservation of his own Nature’.<sup>12</sup> Immediately hereafter he defines liberty, ‘according to the proper signification of the word’, as ‘the absence of externall Impediments’.<sup>13</sup> Because of the difficulties, mentioned above, of understanding the natural condition as one of unhindered motion, it is worth asking whether Hobbes is using ‘liberty’ in the first paragraph of chapter 14 differently from how he defines it in the

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<sup>9</sup> *The Elements of Law* 2.4.9.

<sup>10</sup> *The Elements of Law* 2.8.3. There are three complications here. First, there is a kind of liberty within commonwealth, namely the liberty of the subject. Hobbes argues in *Elements* 2.4.9 that this sense of liberty is therefore idiosyncratic, meaning as it does only a kind of hope of better treatment. Second, Hobbes sometimes says that those who are physically bound are not subject, as they remain in the natural condition with regard to their master; this would mean that such slaves are unfree despite their lack of subjection, unless they are seen as free from obligation (for it is licit for them to escape, kill their master, and so on). Third, it is unclear whether Hobbes on balance thinks that there can be no subjection in the state of nature. To take just one example, he refers in *Elements* 2.1.16 to absolute subjection in the state of nature. The complexities of Hobbes’s understanding of liberty are at least as great as those attending his understanding of equality, so I cannot hope to do them justice here, and in any case they have recently received a masterful treatment in Quentin Skinner, *Hobbes and Republican Liberty* (Cambridge: Cambridge University Press, 2008).

<sup>11</sup> *The Elements of Law* 1.14.6; cf. *De cive* 1.7.

<sup>12</sup> *Leviathan* 14.1, p. 64.

<sup>13</sup> *Leviathan* 14.2, p. 64. Cf. *Leviathan* 21.1, p. 107.

second; and we only have to look to the third paragraph to see that he is content to use ‘liberty’ in a way that extends beyond its ‘proper signification’. ‘RIGHT, consisteth in liberty to do, or forbear. . . : so that Law, and Right, differ as much, as Obligation, and Liberty; which in one and the same matter are inconsistent.’<sup>14</sup> Liberty as the absence of obligation parallels the idea of liberty as the absence of external impediment, for it is an absence of a kind of impediment to what one wishes to do. Hobbes does not regard liberty from obligation as an abuse of the word, and often relies on the idea, for example when explaining that it is improper to apply the terms ‘free’ or ‘liberty’ to anything but bodies subject to motion: ‘And when we say a Guift is Free, there is not meant any Liberty of the Guift, but of the Giver, that was not bound by any law, or Covenant to give it.’<sup>15</sup> Equal natural liberty means that we are all naturally without obligation, and in particular without law.<sup>16</sup>

As we have seen, Hobbes equates natural liberty with natural right,<sup>17</sup> so it is no surprise that Hobbes also refers to the equal *right* of natural human beings. ‘For by nature men have equal right’; thus, if there is unequal right, ‘this inequality must proceed from the power of the commonwealth’.<sup>18</sup> The assimilation of natural liberty with natural right underlines the point that Hobbes is not referring in this context to liberty as the absence of external impediments, for to have a natural right to something does not mean that there are no external obstacles to it.

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<sup>14</sup> *Leviathan* 14.3, p. 64.

<sup>15</sup> *Leviathan* 21.2, p. 108; cf. 21.5-6, pp. 108-9.

<sup>16</sup> I am here bracketing the obligations of natural law, to which we are subject even in the state of nature.

<sup>17</sup> In addition to the passages above, see *De cive* 1.7. . . . [On this identification, chk Pacchi, Scritti hobbesiani, pp. 151-5.]

<sup>18</sup> *The Elements of Law* 2.1.19.

Hobbes argues that we may do by right that which is not contrary to right reason; that it is not contrary to right reason to aim for our self-preservation since we do so by a necessity of our nature; and therefore that we aim to preserve ourselves by right.<sup>19</sup> Because each may judge for himself what may conduce to his preservation (a conduciveness Hobbes sometimes equates with benefit or advantage), and there is no object or action that one may not judge will aid one's preservation, so the right of self-preservation entails the right to everything.<sup>20</sup> 'Every man by nature hath right to all things, that is to say, to do whatsoever he listeth to whom he listeth, to possess, use, and enjoy all things he will and can.'<sup>21</sup> Everyone has a natural right to everything, therefore by nature all have equal right.

It might be thought, though, that Hobbes derives equal natural right from equal natural capacity, and that such a derivation of right from power is central to the Hobbesian theory. But it is difficult to see how equality of power or ability would entail equality of right.<sup>22</sup> Hobbes does argue that 'this right of protecting ourselves by our own discretion and force, proceedeth from danger, and that danger from the equality between men's forces'.<sup>23</sup> This does not mean, however, that our right is somehow the same as our force, or that it derives directly from it. The derivation is indirect, and in any case ends up assuming that this particular right is primitive: we have a right to protect ourselves according to our own judgment and power so long as we do not enjoy the security that

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<sup>19</sup> *De cive* 1.7.

<sup>20</sup> See *The Elements of Law* 1.14.6-10; *De cive* ...; *Leviathan* ....

<sup>21</sup> *The Elements of Law* 1.14.10. [Hobbes specifies that this means that everyone may do whatever he wants, so long as 'he will and can': it is not clear whether he thinks that someone has a right to do that which he cannot do because of his lack of inclination or ability, or whether the right to do everything is limited to a right to do what he can do and wants to do.]

<sup>22</sup> [This is a cop-out placeholder.]

<sup>23</sup> *The Elements of Law* 1.14.13.

would obviate such self-protection; the equality of people's forces means that we do not have that security; therefore we retain the right of self-protection.

*Equality of power or ability*

At the outset of his exposition of the natural condition, Hobbes says that the nature of man consists in 'the powers natural of his body and mind,' viz., 'strength of body, experience, reason, and passion', and that these provide the starting point for the following doctrine.<sup>24</sup> Despite sometimes relying on a claim about 'the equality of strength and other natural faculties of men',<sup>25</sup> Hobbes provides overwhelming evidence that he regards humans as naturally *unequal* in each of these respects.

Hobbes acknowledges that some people can have naturally superior bodily powers, and that others can recognize such 'odds or excess of power'.<sup>26</sup> He says that 'men differ much in constitution of body,' and that this great difference leads to different appetites, different passions, and different wits.<sup>27</sup> He maintains that there can be 'inequality of Power' even 'in the condition of meer Nature,' though this inequality will often not be obvious until the conclusion of battle.<sup>28</sup> In fact, '*Naturall Power*' for Hobbes is simply 'the *eminence* of the Faculties of Body, or Mind,' such as 'an *extraordinary* Strength, Forme, Prudence,' or the like.<sup>29</sup> Even in the central chapters on the state of

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<sup>24</sup> *The Elements of Law* 1.14.1; *De cive* 1.1.

<sup>25</sup> *The Elements of Law* 1.14.14.

<sup>26</sup> *The Elements of Law* 1.8.4-5.

<sup>27</sup> *The Elements of Law* 1.10.2; cf. *De homine* 13.2. See also *The Elements of Law* 1.7.3, where Hobbes says that every man differs from each other in constitution, and therefore each differs from all others in distinguishing good and evil.

<sup>28</sup> *Leviathan* 14.31, p. 70; cf. *De cive* 9.3 and *Leviathan* 20.4, p. 102.

<sup>29</sup> *Leviathan* 10.2, p. 41, latter emphases added; cf. *The Elements of Law* 1.8.4 and *De mundo* 38.7.

nature, as he apparently constructs his case for natural equality, Hobbes repeatedly indicates that bodily strength is naturally unequal.<sup>30</sup>

The inequality of experience is naturally pervasive, especially because experience varies with age. The more experience one has had, the more prudent one is;<sup>31</sup> this is why ‘old men are more prudent, that is, conjecture better, *caeteris paribus*, than young’.<sup>32</sup> And one may be more prudent than another of the same age if a quick wit effectively speeds one’s experience: ‘men of quick imagination, *caeteris paribus*, are more prudent than those whose imaginations are slow: for they observe more in less time.’<sup>33</sup> Moreover, among men of the same age the qualitative inequality of experience is even greater than the quantitative inequality.<sup>34</sup> Natural variations in experience ramify in sundry ways: the desires of people of different ages are different; inexperienced men judge good and evil differently from experienced men, and thus incur long-term damage; diversity of experience gives rise to diversity of dispositions.<sup>35</sup> Although he maintains that men vary more in judgment and fancy than in experience (and in kinds of experience than in quantity of experience), these variations are themselves functions of differences in age,

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<sup>30</sup> *The Elements of Law* 1.14.2-5, 10, 13; *De cive* 1.3, 6, 13, 14; *Leviathan* 13.1, p. 60.

<sup>31</sup> *Leviathan* 3.7, p. 10; 5.21, p. 22; 8.11, p. 34. Hobbes ‘derives Prudence from Experience, and Experience from Age’ (*M<sup>r</sup> Hobbes Considered*, p. 61 = Molesworth, ed., *English Works* 4:440). Thus, ‘the most in years (...usually...) is the wisest [prudentialior est]’ (*De cive*, 9.17).

<sup>32</sup> *The Elements of Law* 1.4.10; cf. 1.4.6-9. A source of Hobbes’s view that prudence is proportional to time may be Job 12:12 (‘In antiquis est sapientia, & in multo tempore prudentia’); another may be Aristotle, *Nicomachean Ethics* 1142a11-16. *Behemoth*, p. 1 (fol. 2<sup>r</sup>) suggests that one judges good and evil best at a certain age – not too young, but also, it seems, not too old. It also suggests the importance of *relevant* experience.

<sup>33</sup> *The Elements of Law* 1.4.10; cf. *De mundo* 38.9.

<sup>34</sup> *Leviathan* 8.11, p. 34. [Explain what this claim means.]

<sup>35</sup> *De homine* 11.3 (differing desires), 11.5 (differing judgment: cf. *Horae subsecivae*, p. 313), 13.4 (differing dispositions).

and Hobbes claims that greater experience is a more decisive advantage than a superiority of natural wit.<sup>36</sup>

Hobbes is here assessing whether the inequalities of experience are greater or less than the inequalities of natural reason. Any judgment of their relative weight will be complicated by Hobbes's tendency, especially in his earlier works,<sup>37</sup> to see reason as dependent on experience; but the main point here is that he sees such natural inequalities as normal. Hobbes is animated about the paucity of those who can follow artificial reason, but he is also unequivocal that natural reason itself is highly variable. This too varies with age, and 'children...are not endued with reason at all till they have attained the use of speech'.<sup>38</sup> Intellectual ability reflects to a great extent the cognitive potential with which one is born, and Hobbes even asserts that stupidity is the fault of nature only.<sup>39</sup> Even in *The Elements of Law*, a work in which he is optimistic about the capacity of most everyone to apprehend the unadorned truths of reason,<sup>40</sup> Hobbes devotes a chapter to 'the Difference between Men in their Discerning Faculty and the Cause', where he explores the greater or lesser endowments of judgment, wit, fancy, dullness, gravity, and so forth, and traces some of these inequalities back to natural physiological differences and naturally dissimilar passions.<sup>41</sup>

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<sup>36</sup> *Leviathan* 8.11, p. 34 (judgment and fancy differ more, and kind of experience more than quantity); *De homine* 13.2 (judgment and fancy vary with age: cf. *Horae subsecivae*, p. 294); *Leviathan* 3.8, p. 10 (advantage of experience greater than that of wit).

<sup>37</sup> Cf., e.g., *The Elements of Law* 1.5.12, 1.6.1, 1.9.18; *De cive* 17.12. Cf. also *Concerning Body* 1.8 and *The Questions Concerning Liberty, Necessity, and Chance*, p. 398. [And chk for further cites in my JHP article.]

<sup>38</sup> *Leviathan* 5.18, p. 21.

<sup>39</sup> *De homine* 11.8. [chk Latin again]

<sup>40</sup> Cf. Quentin Skinner, *Reason and Rhetoric in the Philosophy of Hobbes* (Cambridge: Cambridge University Press, 1996), pp. 257-326; and for some discussion of this point, my review in *Filosofia Politica* 11:1 (1997), pp. 139-43.

<sup>41</sup> *The Elements of Law* 1.10; cf. *Leviathan* 8. Clarence DeWitt Thorpe, in *The Aesthetic Theory of Thomas Hobbes* (New York: Russell & Russell, 1964 [1940]), pp. 176-81, shows that these chapters, together with

Differing degrees of knowledge correspond to a further variable, differing degrees of curiosity, which is one of the appetites or passions.<sup>42</sup> This is one example of a passion that will influence one's chances for success in the state of nature depending on whether one has it to a greater or lesser degree; similarly, rates of success will vary according to whether one is timid or courageous, hopeful or despairing, and so on. As Hobbes details, passions vary greatly between persons.<sup>43</sup> The differing kinds and degrees of passion lead to 'scarce two men agreeing what is to be called good, and what evil; what liberality, what prodigality; what valour, what temerity'.<sup>44</sup> The variation in appetites and passions leads to war, and so long as judgment of good and evil is based on these variables rather than delegated to a univocal power, the bellicose condition of nature will persist.<sup>45</sup> Considering 'the great difference there is in men, from the diversity of their passions' leads Hobbes to conclude that 'from hence shall proceed a general diffidence in mankind, and mutual fear one of another'.<sup>46</sup> So the inequality of passions, via the resultant inequality of persons, is a *cause* of the conflict that characterizes the Hobbesian state of nature. That is, conflict arises because the diversity of passions (as well as of experience and natural reason) leads to an inequality of individuals, rather than balancing out to render such diversity irrelevant to their inequality. And this affective diversity gives rise to the critical fact that 'there is in mens aptnesse to Society, a diversity of Nature,' such

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*Leviathan* 3, are the direct source of much of Walter Charleton's discourse *Concerning the Different Wits of Men* (London, 1669).

<sup>42</sup> *The Elements of Law* 1.9.18; cf. *Leviathan* 8.2-3, pp. 32-3, where Hobbes more generally states that 'NATURAL WIT' varies from dullness and stupidity to a quick and steady imagination: 'And this difference of quicknesse, is caused by the difference of mens passions; that love and dislike, some one thing, some another.' This natural wit, says Hobbes, 'is valued for eminence; and consisteth in comparison' (*Leviathan* 8.1, p. 32).

<sup>43</sup> Cf. *The Elements of Law* 1.9, *Leviathan* 6, and *De homine* 12.

<sup>44</sup> *The Elements of Law* 1.5.14.

<sup>45</sup> *Leviathan* 15.40, pp. 79-80.

<sup>46</sup> *The Elements of Law* 1.14.3; cf. *De cive* 1.4.

that one who is marked by ‘asperity of Nature’ and ‘the stubbornness of his Passions’ must be prevented from entering society or expelled therefrom.<sup>47</sup> Passions not only lead to war, they even render some ineligible for human society by their very nature.

Hobbes regards humans as naturally unequal in every aspect of human nature that he specifies – strength of body, experience, reason, and passion. If the Hobbesian natural condition is to be seen as a battleground of equals in power, we must look to some further argument or arguments for the equality of its inhabitants. But let us first consider a domain of equality that is based on these aspects of human nature, for the preceding conclusion sits ill with the widely accepted idea that Hobbes regarded men and women as physical and mental equals. For if men and women are equals, it would seem to follow that all people are equals after all.<sup>48</sup>

### *Sexual and racial equality*

Carole Pateman stands with many other readers when she attributes to Hobbes the view that ‘there is no difference between men and women in their strength or prudence’ and concludes that he propounds ‘women’s natural equality with men’.<sup>49</sup> In his discussion of the dominion over children in the state of nature, Hobbes has frequently been interpreted as postulating the equality of the sexes when he writes:

And whereas some have attributed the Dominion to the Man onely, as being of the more excellent Sex; they misreckon it. For there is not alwayes that

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<sup>47</sup> *Leviathan* 15.17, p. 76.

<sup>48</sup> Unless what is understood by equality in this case is along the lines: the distribution of inequality is the same over the range of men as it is over the range of women, with pairwise equality between individuals across the different groupings. I am not aware of anyone who ascribes such a view to Hobbes.

<sup>49</sup> Carole Pateman, *The Sexual Contract* (Stanford: Stanford University Press, 1988), pp. 44, 45.

difference of strength, or prudence between the man and the woman, as that the right can be determined without War.<sup>50</sup>

Hobbes does not even clearly disavow the idea that men are ‘the more excellent Sex’, claiming only that those err who have concluded from this that natural dominion over children belongs always or only to men. His reason is that there is not *always* such a superiority of strength or prudence that the man can claim the dominion without proving that superiority by war. This suggests that there usually is such superiority of men over women, and that this superiority is generally so clear to the parties concerned that the woman will not even attempt the contest.

The version of this passage in *De cive* more closely approaches a position of sexual equality.

The allegation some make that it is not the *mother* in this case but the *Father* who becomes *Master*, because of the superiority of his sex, is groundless; for reason is against it, because the inequality of natural strength is too small to enable the *male* to acquire dominion over the *female* without war.<sup>51</sup>

Again Hobbes does not clearly reject the idea of male superiority, but his argument here is different. Rather than suggesting that males do not have a *universal* superiority of strength or prudence, he here omits any mention of a superiority of prudence and suggests that while males have superior natural strength it is not sufficient to translate into the superiority of dominion. For females will evidently recognize that they have a good chance at resisting male dominion, and so will be willing to fight for liberty or their own dominion. And the idea may then be that the males may well determine that it is not

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<sup>50</sup> *Leviathan* 20.4, p. 102. Those who have interpreted this as a claim of sexual equality include R.W.K. Hinton, ‘Husbands, Fathers and Conquerors’, *Political Studies* 16:1 (1968), p. 55, and Gregory S. Kavka, *Hobbesian Moral and Political Theory* (Princeton University Press, 1986), p. 34.

<sup>51</sup> *De cive* 9.3.

worth the risk inherent to such conflict; and in any case they will not be able to count on dominion on the inadequate basis of the mere fact of their slightly greater strength.

It is worth comparing the prototype of these two passages, from *The Elements of Law*. Hobbes writes there:

They therefore ascribe dominion over the child to the father only, *ob praestantiam sexûs*; but they show not, neither can I find out by what coherence...advantage of so much strength, which, for the most part, a man hath more than a woman, should generally and universally entitle the father to a propriety in the child, and take it away from the mother.<sup>52</sup>

The relevant advantage of strength that most men have over most women does not entail any kind of universal title for all men. Given his argument elsewhere, Hobbes's point does not seem to be that victory of someone stronger over someone weaker cannot give rise to dominion,<sup>53</sup> but perhaps that (as is spelled out in the later passages) the advantage of strength is not a reliable guarantor of victory in battle. Or the emphasis on general and universal entitlement may indicate that his main point here is that most people of one kind being stronger than most of another does not give rise to a universal title such that anyone of the former kind can claim right over anyone of the latter kind.

In all of these passages, Hobbes suggests that there is a general albeit not universal superiority in strength, and in *Leviathan* he extends this to prudence. He is also clear about some other general but not universal superiorities in *The Elements of Law*: 'generally men are endued with greater parts of wisdom and courage...than women are'; 'Not but that women may govern, and have in divers ages and places governed wisely,

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<sup>52</sup> *The Elements of Law* 2.4.2.

<sup>53</sup> See Hoekstra, 'The *De Facto* Turn in Hobbes's Political Philosophy', in Tom Sorell and Luc Foisneau, eds., *Leviathan After 350 Years* (Oxford: Oxford University Press, 2004).

but are not so apt thereto in general as men.<sup>54</sup> He similarly argues in *De cive* that men are generally better suited to manage great affairs, especially wars; and in *Leviathan* he says that men are ‘naturally fitter than women, for actions of labour and danger’.<sup>55</sup> What is more, if Hobbes regarded the agents in the state of nature as individuals naturally equal in strength and prudence, then civil society would be set up by both men and women, or as often by women as by men. In *Leviathan* he says, however, that most commonwealths have been erected by the fathers of families, and in *De cive* he says that all have been.<sup>56</sup> That most have been set up by men seems to follow from his analysis of the inequality of the sexes, though evidently this would have been the result of a battle of the sexes, given that the general superiority of men will only emerge after dubious battle. But even the more moderate claim in *Leviathan* is open to question, for if we are considering sovereignty by institution, where the parties that covenant to set up commonwealth are the heads of families, it would seem that some of those heads will be women, either because they proved stronger or more prudent than their male counterparts, or because they proved strong or prudent enough to remain independent actors.

Hobbes falls shorter of modern attitudes about the equality of sexes than his reputation suggests, but he deserves a better reputation for his views on racial equality.

In some ways this is more surprising, given that while he lived under a powerful female

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<sup>54</sup> *The Elements of Law* 2.4.14.

<sup>55</sup> *De cive* 9.16, *Leviathan* 19.22, p. 101.

<sup>56</sup> *Leviathan* 20.4, p. 102; *De cive* 9.6. In the *De cive* passage, Hobbes concludes that this is why within commonwealths all domestic government belongs to the man, and so all children belong to the father. But this seems to assume a high degree of gender identity, such that the men who set up commonwealth in the first place would have wished to ensure the dominance of other men over their families into the future. This is the sort of passage that Pateman and others suspect is hiding a nefarious story of the banding together of men to oppress women. I think that what is going on is that Hobbes recognizes that he has to square his argument that there is no support for a natural title of male dominion with the empirical data of widespread patriarchal family authority. He does not dwell on the possible causes of this transformation, but in any case his is a more fruitful procedure of analysis than that of most of his contemporaries, which was to observe the order of things and to assume its legitimating principle backward into the nature of things.

sovereign and interacted with highly accomplished women, his knowledge of non-western cultures was mostly limited to writings and images in which it was common to sensationalize the savagery of faraway natives. He holds that women and men are more similar in nature than is generally recognized, and that women are subjected largely by artifice. He holds fast to the view that the natives of the new world are in misery because of a *lack* of artifice. And in this case the underlying nature across the groups (Europeans and Americans) is *the same*. The Americans find themselves in a state of war, but not because of any natural moral or intellectual deficiency, for their souls and their mental faculties are the same as those of other people.<sup>57</sup> The condition of the Americans is savage because of their lack of philosophy or science and, relatedly, the lack of sufficiently great political organizations. Hobbes resisted the temptation to conclude that these privations reflect any natural shortcomings.

### *Effective equality*

Hobbes provides a few arguments that may help us understand how he hopes to persuade people to admit natural equality in the face of his point-by-point denial that individuals are naturally equal in any of their capacities. He appears particularly eager to persuade his audience in *Leviathan*, where he adds two new arguments. The first of these is that ‘though there bee found one man sometimes manifestly stronger in body, or of quicker mind then another; yet when all is reckoned together, the difference between man, and man, is not so considerable’.<sup>58</sup> This is somewhat ambiguous, and admits manifest inequalities of both body and mind, but it is probably an argument for a rough

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<sup>57</sup> *Concerning Body* 1.7; cf. *The Elements of Law* 1.13.3, *De mundo* 4.2.

<sup>58</sup> *Leviathan* 13.1, p. 60.

overall equality, in sum or on average. (Alternatively, Hobbes may be awkwardly presenting the argument, discussed below, that the individual differences are inconsiderable.) One person may be somewhat superior in one way, but this will tend to be balanced by his or her inferiority in another way; considering all of a person's capacities together yields the conclusion that all people are approximately equal. As John Eachard satirically presents the point in his first dialogue: 'For you know, as you teach us: that *men by Nature are all equal*. i.e. though *Roger* may chance to have huge *Leggs*, yet *Dick* may have the quicker *eye*: and though *Tumbler* may have a very large *fist*, and a great *gripe*, yet *Towser* may be in better breath, and have longer nailes.'<sup>59</sup> If the idea is that the range of superiorities and inferiorities will tend to offset one another, thus leading to equality, it is not a strong one. Without further assumptions, it is just as likely that someone who is superior by virtue of a beneficial trait will *also* be better endowed with another such trait as it is that he or she will be inferior in that regard.<sup>60</sup> And even if a given superiority or advantage is accompanied by an inferiority or disadvantage, there is little reason to think that it will be an approximately equivalent offset. If a state-of-nature scenario includes even a few people with concatenations of superior traits or concatenations of inferior traits, success rates in conflict situations (or in attempts to avoid conflicts or otherwise maximize one's anticipated outcome) will no longer be equal, and there will be a strong motivation for the superior to conquer the inferior, and for the inferior to band together or join the superior on peaceful terms. Although such

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<sup>59</sup> *M<sup>r</sup> Hobbs's State of Nature Considered* (1672), p. 132.

<sup>60</sup> James Tyrrell makes a similar point, initially in response to the argument that weaker and stronger individuals will balance out in alliances: 'may not this wiser and stronger man as well also combine with others as wise and strong as himself, and then will not the inequality be much greater than it was before? And as for cunning, or surprize, it signifies as little, since the stronger man may be as cunning as the other, and may have also as good luck in surprising him at unawares' (*A Brief Disquisition of the Law of Nature* (1692), p. 269).

motivation would depend on an ability to recognize comparative advantage, the success rate in conflict situations will differ even if there is no such recognition.

Another argument unique to *Leviathan* specifically supports intellectual equality. In a revealing oxymoron (especially for a geometer), Hobbes says that with regard to the faculties of mind there is ‘yet a greater equality amongst men, than that of strength’.<sup>61</sup> From the observation that men ‘will hardly believe [non concedet] there be many so wise [prudentiorem] as themselves,’ Hobbes concludes that men are thus equal in wisdom: ‘For there is not ordinarily a greater signe of the equall distribution of any thing, than that every man is contented with his share.’<sup>62</sup> Significantly, Hobbes expressly excepts wit, eloquence, learning, and science from this argument, as he recognizes that someone may be vastly superior to others in such abilities or pursuits. Even when restricted to wisdom or prudence the argument is tenuous. Hobbes insists in this paragraph that ‘almost all men’ have a thoroughly distorted perception of their own wisdom; therefore, any conclusion based on this perception will be suspect. Moreover, universal contentment is not a reliable indicator of the equality of possessions, and a still poorer indicator of the equality of natural abilities, faculties, or other endowments.<sup>63</sup> In any case, this argument for a certain restricted intellectual equality admits as general an unequal respect for

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<sup>61</sup> *Leviathan* 13.2, p. 60.

<sup>62</sup> *Leviathan* 13.2, p. 61. Cf. the first lines of Descartes, *Discourse on the Method*.

<sup>63</sup> The vanity Hobbes regards as rife does not necessarily entail contentment or equality, nor does universal self-contentment entail equality. That many people consider themselves ‘unusually attractive’ does not entail that they are happy with their looks, much less that they are all equally good looking.

This and the next argument for natural equality lead Giuseppe Sorigi to conclude that Hobbes here offers outright sophisms (‘veri e propri sofismi’), and conspicuously weak reasoning (‘debolezza ragionativa’) (*Quale Hobbes? Dalla paura alla rappresentanza* (Milan: Franco Angeli, 1996), pp. 100-101). When Hobbes appears to offer weak arguments for equality, it must be asked whether the aim of the arguments has been adequately identified. This is the question addressed in the next section; whether the arguments are weak or not, I maintain that the most forceful component of Hobbes’s case for equality is not to be found in arguments for actual equality of power or capacities.

others, and is based on an opinion of superiority.<sup>64</sup> So the ‘equality of hope in the attaining of our Ends’ that leads to war arises, in this case, not from equality of ability, but from the pervasive belief in superiority, however ill-conceived.<sup>65</sup>

Let us consider another argument that Hobbes provides for natural equality, which is often regarded as a convincing one. It is presented most thoroughly in *The Elements of Law*:

if we consider how little odds there is of strength or knowledge between men of mature age, and with how great facility he that is the weaker in strength or wit, or in both, may utterly destroy the power of the stronger, since there needeth but little force to the taking away of a man’s life; we may conclude that men considered in mere nature, ought to admit amongst themselves equality.<sup>66</sup>

Natural equality should be acknowledged because 1) one’s superiority is generally nonexistent or negligible; 2) if one does have a natural advantage sufficient for victory, one cannot be sure of this beforehand;<sup>67</sup> and 3) those who are stronger are still vulnerable to those who are weaker.

Hobbes develops this last point in an argument that he presents most clearly in *De cive*:

if we look on men fullgrown, and consider how brittle the frame of our humane body is, (which perishing, all its strength, vigour, and wisdom it selfe perisheth with it) and how easie a matter it is, even for the weakest man to kill the strongest, there is no reason why any man trusting to his own strength should conceive himself made by nature above others: they

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<sup>64</sup> *Leviathan* 13.2, p. 61.

<sup>65</sup> *Leviathan* 13.3, p. 61; cf. the Latin version of 13.1.

<sup>66</sup> *The Elements of Law* 1.14.2. Norberto Bobbio, *Thomas Hobbes and the Natural Law Tradition*, p. 39, gets this backward: ‘The principal objective condition is that human beings are, de facto, equal. Being equal by nature, they are capable of causing the greatest of evils to one another: death.’

In line with common seventeenth-century usage, Hobbes often employs ‘odds’ to mean difference or inequality, or superiority or advantage, rather than to suggest chances or ratios.

<sup>67</sup> This point comes in proximate passages, where Hobbes specifies that one has ‘no assurance of odds’ (*Elements* 1.14.5), and that ‘pre-eminence’ cannot be determined without battle (*Elements* 1.14.4).

are equals, who can do equal things one against the other; but they who can do the greatest things, (namely kill) can do equal things.<sup>68</sup>

Any other supposed superiorities or inferiorities are insignificant, outbalanced by every person's high degree of vulnerability to destruction.<sup>69</sup>

In this argument Hobbes does not claim that each has an equal ability to kill any other. Instead, the equality is supposed to be derived from the ability, however unequal. This derivation is not valid as it stands, as becomes clear if we consider certain odds and circumstances. Suppose in the natural condition Alpha has a 9 in 10 chance of killing Gamma in combat, and Gamma only a 1 in 10 chance of killing Alpha. Given the probability of conflict in the state of nature, their natural inequality with respect to killing and avoiding being killed will translate into predictably unequal results. If they have some awareness of their situation,<sup>70</sup> then their calculations of what to do in various circumstances could also lead to different actions (e.g., Alpha advancing to take possession of something, and Gamma retreating).

Hobbes appears to argue that conflict in the state of nature arises from the equality of hope of achieving our respective ends. We have seen above that there may be reasons for unequal hope, which could lead to dominance and submission; and even if there is equal hope unmatched by equal ability, then a series of encounters will tend to lead to the submission or death of the less able, and a pattern of dominance will develop. The kind of equality that does exist in the state of nature, that is, does not preclude systemic

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<sup>68</sup> *De cive* 1.3.

<sup>69</sup> See Tyrrell, *A Brief Disquisition of the Law of Nature*, pp. 269-70: 'it is indeed a very trivial Argument to prove this natural equality, because those are equal that are able to do the like things to each other;...For there is scarce any Beast, nay Insect, so weak, but may sometime or other destroy a man by force, or surprize; and we read of a Pope who was choaked by swallowing of a Fly in his Drink, which if it could be supposed to be done by the Fly on purpose, would make the Fly and the Pope to be equal by Nature.'

<sup>70</sup> As Hobbes suggests, e.g. in *The Elements of Law* 1.8.5.

inequality in the central senses of subjugation and dominion or of significantly variable chances of self-preservation.

One reply is that this objection depends on a result that emerges from a series of encounters, whereas encounters in the Hobbesian natural condition are likely to be single-shot rather than iterated interactions. This is because of the urgency of the imperative of self-preservation in that situation, where any encounter may be a matter of life and death. If we have not engaged with one another before, then our relative power will be more opaque; and if the result of our engagement is that one of us is likely to be dead or enslaved, then it is not so obvious that patterns of dominance and submission will develop. They may develop in other ways, however, even if not between two given individuals over time (I might witness your abilities, say), and in any case the survival rates will be different for those who are unequal in these ways.

So these arguments do not seem to show that the state of nature is a state where each member is in perpetual conflict with others, all of whom are equal in the relevant respects. The reasoning is not sufficient to show that inequalities of body and mind will not lead to markedly different success rates in the state of nature, so that one who has a natural superiority of power and a commitment to exploit it will not tend increasingly to reduce his or her vulnerability. ‘For the nature of Power, is...like to Fame, increasing as it proceeds; or like the motion of heavy bodies, which the further they go make still the more hast.’<sup>71</sup> Hobbes supports the idea of a reinforcing circle of power: for example, ‘Reputation of power, is Power; because it draweth with it the adhaerence of those that

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<sup>71</sup> *Leviathan* 10.2, p. 41.

need protection'; this 'assistance, and service of many' provides further power and in turn creates greater reputation of power.<sup>72</sup>

Hobbes himself makes clear that the foregoing arguments for equality are only applicable in highly limited circumstances. They are valid only for men of a certain age.<sup>73</sup> The physical and mental superiority of a robust adult over a newborn are not low, and the former's ability to destroy the latter is tremendously greater than the converse. Such observations may sit uneasily with the idea that there can be neither authority nor obligation in the natural condition, for Hobbes argues that in the state of nature, an irresistible power confers the right to rule and command those who are unable to resist.<sup>74</sup> Nor does Hobbes consistently suggest that the difference between two given individuals' intellectual power must be negligible. For example – despite his jabs at Aristotle for postulating the natural superiority of the wise – Hobbes exempts those with scientific ability from his argument for natural equality.<sup>75</sup> Too much limitation, however, reduces the point to the truism that those who have substantially equal natures (being of the same age, education, etc.) are naturally substantially equal.

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<sup>72</sup> *Leviathan* 10.5, p. 41; 10.7, p. 41. Cf. *De cive* 15.13 and *De mundo* 38.7. The equality that Hobbes ascribes to people in the state of nature is a rough equality of vulnerability. But this does not disappear or diminish upon exit from the state of nature. In Hobbesian civil society there is, if anything, a further advance toward equality of vulnerability. Everyone is vulnerable to one another to a similarly low degree, and vulnerable to the sovereign to a similarly high degree, any natural advantages of strength or acumen being eclipsed by the sovereign. Cf. *Leviathan* 30.16, p. 180: 'The Inequality of Subjects...has no more place in the presence of the Sovereign...then the Inequality between Kings, and their Subjects, in the presence of the King of Kings'; and cf. *Leviathan* 18.19, p. 93: 'So are the Subjects, [equal] in the presence of the Sovereign....in his presence, they shine no more than the Starres in presence of the Sun.'

<sup>73</sup> As is usually the case, when Hobbes refers to 'men' in these contexts he probably means 'people' rather than 'males'; but the discussion above of gender equality suggests that we cannot simply assume this.

<sup>74</sup> *The Elements of Law* 1.14.13, *De cive* 1.14.

<sup>75</sup> *Leviathan* 13.2, p. 60. In *Leviathan* 13.9, p. 62, Hobbes includes 'Arts' in his extensive list of things excluded from the state of nature, and in 13.2 considers science one of the arts; so it may seem that there can be no science in the state of nature. However, if this state is conceived of as possibly postpolitical or international, it seems evident that people or populations who have made progress in science or true philosophy may be found therein. Presumably Hobbes would have considered himself to be a person of scientific ability within a state of nature if he had not fled the civil war.

Perhaps the most important restriction of these arguments is that they apply only to individuals: they regard the isolated agent, ‘trusting to his own strength.’ There is considerable evidence, however, that the Hobbesian state of nature is a scenario of groups, and groups cannot be expected to be constrained to equality even in the limited way that individuals sometimes are.<sup>76</sup> Hobbes could not have believed that nations are necessarily roughly equal, for example, or that any nation can easily destroy any other.<sup>77</sup> Furthermore, an equality of groups does not entail that the individuals are equal – and if the group is *necessary* for equality, it implies that the individuals are *not* equal.<sup>78</sup> This is a further sign that Hobbes’s argument about equality does not belong to his exposition of the composition of the state of nature.

Hobbes is instead interested in a point that does not strictly depend on the natural equality of faculties or abilities. What inexorably ensures that the state of nature is a condition of war is that people therein have ‘equality of hope in the attaining of [their] Ends’.<sup>79</sup>

Consider a group of people, in which (1) each believes himself or herself to be superior to most of the others. They will then have roughly equal hope to attain their respective ends. But this will lead to foolish and conflict-prone decisions, as there must be widespread misjudgment.<sup>80</sup> Alternatively, if (2) they think themselves to be irremediably unequal, and concur about who is inferior and who superior, they would be likely to settle

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<sup>76</sup> [Give a brief version of the evidence for this.]

<sup>77</sup> Cf., e.g., *Behemoth*, p. 32.

<sup>78</sup> Hobbes bases an argument for equality on the ability of people to group together to make units of greater power in *Leviathan* 13.1, p. 60. As William Lucy complains, ‘what hee talkes of confederacy by that accompt he may bring a Fly in competition, for a Fly with company enough can effect any thing’ (*Observations, Censvres and Confutations* (1657), p. 79).

<sup>79</sup> *Leviathan* 13.3, p. 61. Hobbes says that this equality of hope is based on the kind of equality of ability that he discusses in 13.1-2, pp. 60-1.

<sup>80</sup> *Leviathan* 18.15, p. 92: ‘considering what values men are naturally apt to set upon themselves; what respect they look for from others; and how little they value other men; from whence continually arise among them, Emulation, Quarrells, Factions, and at last Warre.’ Cf., e.g., *De homine* 11.12.

into a relatively peaceful and stable hierarchy. If, instead, (3) they think themselves to be equal, then – even if this is a misjudgment – they will be cautious and wary of conflict with one another. Hobbes thinks that there is a natural human tendency to situation (1); he does not believe that people will accept (2), except perhaps when such an order is effectively dictated by a sovereign; and so his strategy to mitigate the inclination to war is to do what he can to encourage scenario (3).

In the last analysis, actual equality of power is quite unimportant. Even if people *were* naturally equal, if some of them *think* they are superior, they will enter into high-risk situations that will lead to violence. In the state of nature, the problem is already what people believe about themselves and their relation to others. For the state of war to cease, the beliefs of its inhabitants must be altered. Modifying these beliefs requires convincing people to abandon the aspirations that perpetuate strife.

### *Creating all men equal*

Although generally regarded as a central component of Hobbes's description of the natural condition, the argument about natural equality is above all an argument about what individuals should *acknowledge* or *allow*. His conclusion is that 'men considered in mere nature, *ought to admit* amongst themselves equality'.<sup>81</sup> Hobbes's view of the state of nature is not only that it is not composed of such equals, but also that it is not composed of people who admit that others are their equals: he makes clear that most individuals in the state of nature will *not* regard each other as equals (and even those who

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<sup>81</sup> *The Elements of Law* 1.14.2, emphasis added. Thus, Pufendorf is *agreeing* with Hobbes when he argues that people are born unequal in their natural powers of body and mind, and yet upholds (as he entitles a chapter) 'The obligation laid upon all men to regard themselves as equal by birth.' [chk again (*Jus naturae et gentium*)]

do so will be compelled to form or join groups to defend themselves).<sup>82</sup> Conflicts of pride create an intolerable problem, for which commonwealth is the solution; commonwealth will be more securely attained or maintained if there is a tool to temper the wills of the arrogant by convincing them of the need to recognize others as equals. Hobbes calls his great work on the commonwealth *Leviathan* in imitation of God, who, ‘having set forth the great power of *Leviathan*, calleth him King of the Proud’.<sup>83</sup>

Hobbes indicates that the state of nature is predominantly constituted by unequals who, not acknowledging equality, are ready to join battle: this in turn means that the state of nature becomes a place where superiors (in terms of individual or group power) emerge via contest, consolidating their dominions over the weaker.

When Hobbes discourses upon equality he is not attempting to show us an eternal truth of nature. Rather, he is trying to *make* something the case; he is providing an argument in order to get us to do something. He aims to make those in the state of nature (such as those caught up in the English civil war) more tractable about instituting or submitting to sovereignty and the accompanying equal administration of justice; and to make those already in a civil state wary about their chances of achieving recognized superiority in the event of a return to the natural condition.<sup>84</sup>

Hobbes resists the Aristotelian view that natural inequalities translate into a kind of natural nobility, or natural superiority in terms of worth or virtue. And he adduces

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<sup>82</sup> Cf. *The Elements of Law* 1.14.4-5, *De cive* 1.12, *Leviathan* 13.2, p. 61.

<sup>83</sup> *Leviathan* 28.27, p. 167 [? 166-7? chk], referring to Job 41:34.

<sup>84</sup> I disagree with Bernard Gert (‘The Right of Nature’ [get cite]) that ‘Hobbes is aware that none of his readers live in the state of nature, rather they all live in a civil state where they do have sufficient security’; and with William E. Connolly’s assertion (*Political Theory and Modernity* (Oxford: Basil Blackwell, 1988), p. 28) that ‘When Hobbes discusses the state of nature he is talking to people already in civil society. He is not trying to convince them to move from a stateless condition to a state.’ Hobbes considered those caught up in the contemporary (or future) state of nature of civil war a particularly important audience. [Cut or move.]

arguments, especially those about everyone's high degree of vulnerability in the natural condition, to show that there is more equality in the state of nature than may at first be thought. But he admits that nature may make people unequal. His recourse is to encourage the artifice of mutual consent. Even in the situation of natural inequality, we must mutually recognize natural equality. This is because there is no other way to institute peace, or avoid war once the peace of civil society is in place. People in the state of nature lack 'humility, and patience, to suffer the rude and combersome points of their present greatnesse to be taken off'.<sup>85</sup> Pride is the great impediment to peace. Without equal terms, there can be no society.<sup>86</sup>

Hobbes maintains that even if the Aristotelian doctrine of natural aristocracy were true, it should not be propagated, because when believed it gives people 'colour and pretences, whereby to disturb and hinder the peace of one another'.<sup>87</sup> Hobbes expresses reservations about particular features of the Aristotelian account, such as the emphasis on 'inherent virtue,' but the fundamental reason he thinks the doctrine of decisive natural differences must be cast aside is because the practical consequences of the doctrine are unambiguously unacceptable. If people accept a view of natural hierarchy, 'it cannot be imagined how they can possibly live in peace'.<sup>88</sup> This is because they will not generally accept a low place in the hierarchy (if they have not been compelled to do so by their sovereign); belief in natural hierarchy tends to correlate with a belief in one's superior place therein.<sup>89</sup> There is a broad equality of *opinion* about one's abilities, an 'equality of

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<sup>85</sup> *Leviathan* 29.1, p. 167.

<sup>86</sup> Cf. the first annotation to *De cive* 1.2: 'sine quibus [viz., conditiones aequas] societas esse non potest.'

<sup>87</sup> *The Elements of Law* 1.17.1.

<sup>88</sup> *The Elements of Law* 1.17.1.

<sup>89</sup> The natural superiorities recognized by Hobbes do not reliably correspond with people's claim to such superiorities: people 'hope for precedency and superiority above their fellows, not only when they are equal

hope'; this equality, however, is an equal presumption of inequality.<sup>90</sup> Every person must acknowledge each other as his or her equal not because one must acknowledge the truth, but 'for peace sake': 'its necessary *for the obtaining of Peace*, that they be esteemed as equall.'<sup>91</sup>

This 'acknowledgment' is more enactment than observation. It is an 'allowance,' an 'attribution'.<sup>92</sup> 'For what else is it to *acknowledge* the equality of persons at the creation of society but to *attribute* [tribuere] this very equality to those who otherwise would not be required by reason to enter into society?'<sup>93</sup> Hobbes does argue that there is more natural equality between humans than is sometimes recognized, but this is only one component of his argument that people should not insist that they are naturally superior. Hobbes does not so much want people to acknowledge a state of affairs as to create a state of affairs via their acknowledgment. Hobbes sees his demand for acknowledgment of natural equality as *consistent* with the condition of natural inequality: 'if Nature have made men unequal; yet because men that think themselves equall, will not enter into conditions of Peace, but upon Equall termes, such equalitie must be admitted.'<sup>94</sup> Natural

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in power, but also when they are inferior' (*The Elements of Law* 1.14.3). Presumably for practical reasons, Hobbes does not even mention those whose hopes are matched by superior power.

<sup>90</sup> For example, referring to the vulgar 'vain conceit of ones owne wisdom,' Hobbes says that wisdom is something that 'almost all men think they have in a greater degree, than the Vulgar' (*Leviathan* 13.2, p. 61). In this paragraph, as elsewhere (e.g., *De cive* 1.12), Hobbes ascribes this arrogance to 'the nature of men.' He does sometimes maintain that the presumption of superiority is not general, being a characteristic of those who are immoderate or intemperate – though this may be a large group (cf. *The Elements of Law* 1.14.2-3, 1.19.5; *De cive* 1.4).

<sup>91</sup> *The Elements of Law* 1.17.1; *De cive* 3.13, italicization altered ('necessarium est ad *pacem consequendam vt pro aequalibus habeantur*'). [That's Cotton's 1651 trans.: Tuck and Silverthorne have 'the pursuit of peace requires that they be regarded as equal.']

<sup>92</sup> *The Elements of Law* 1.17.2; cf. 1.17.14.

<sup>93</sup> *De cive* 3.14, my translation, emphases added: 'Quid enim aliud est aequalitatem personarum agnoscere in societate ineunda [chk both 1647 edns to see if this is altered], quàm aequalia ipsis tribuere, quos alioqui societatem inire ratio nulla exigit?' 'Tribuere' can mean to grant or bestow, or to ascribe or impute.

<sup>94</sup> *Leviathan* 15.21, p. 77; cf. *De cive* 3.13. I interpret 'men...think themselves equall' to mean that they regard themselves as *at least* equal, that is, as equal or superior.

equality must be acknowledged even by natural unequals.<sup>95</sup> So this cannot mean that we must acknowledge the *truth* of equality: to ‘acknowledge’ or ‘allow’ equality is to *treat* others as equals or *grant* them equal influence (as one might grant an equal vote), regardless of whether they *are* equal or would otherwise *have* equal powers of influence.

Hobbes is arguing for acknowledgment of equality in the sense that one might argue, say, for mutual respect: not to argue that it exists, but as part of a project to bring it about. Once we see the argument for equality in this light, we can readily discern the manifest inequalities that permeate the state of nature. Battle among unequals will tend toward unequal power blocs in the natural condition. Even people who are substantially equal in the relevant ways can create such unequal blocs. The fact that the natural condition will normally be one of shifting unequal groups, and that these will often be composed of unequal individuals, suggests that the traditional view of the Hobbesian social contract, based as it is on the premise of equal contracting individuals, must be reconsidered.

To enter into peace, a further step is necessary after an acknowledgment of equality: a basic *inequality* is required. This structural inequality might arise from a widely recognized natural inequality (via conquest, for example), or else from an artificial agreement to elevate some person or assembly as the necessary contrivance to move beyond a conflictual stalemate. It should be underscored that there is a sense in which equality is not something for which we should strive, but, on the contrary, is

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<sup>95</sup> Acknowledgement of natural equality is a law of nature, which is a law of reason (*The Elements of Law* 1.17.1, *De cive* 3.13, *Leviathan* 15.21, p. 77). This does not follow, however, from the view that human equality is a truth of nature: rather, because it is unreasonable to prefer war to peace, so it is unreasonable to be proud or to claim more natural honour than one concedes to others, given that this would lead to contention. The natural condition of war is marked by pride *rather than* acknowledgment of equality. Hobbes’s treatment of pride as a violation of the laws of nature, and his corollary condemnation as a moral vice of the refusal to concede equality, can be seen as part of his attempt to engineer this concession.

something that we must ultimately avoid. This is because there will be a high risk of contention so long as there is equality.<sup>96</sup>

Hobbes accordingly holds that civil peace generally arises from a condition of *inequality* in the natural state, via such processes as conquest. As long as there are no great odds one way or another, warring parties will not incline to peace.<sup>97</sup> This does not reflect an ambiguity in Hobbes's theory, but shows that peace is facilitated both by acknowledgment of equality (the admission of each other as equals) and by the institution of inequality (the relinquishing of power to a sovereign monopoly). The necessary equality, as well as the necessary inequality, are not brute facts, but the products of a constructed consent.

Hobbes argues that people ordinarily believe in natural inequality in a way that is exaggerated and vainly partial, and he adduces reasons why people are less superior than they tend to think. He provides arguments for natural equality in order to discourage bellicose presumption, whether in civil society or outside of it. But he does not argue that in principle there can be no natural inequalities; indeed, he insists on and even depends

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<sup>96</sup> Cf., however, *Leviathan* 25.16, p. 136, and 46.6, p. 368; cf. also Hobbes's translation of Thucydides 3.11 and 5.89.

<sup>97</sup> Cf. *The Elements of Law* 1.8.4, 2.5.8; *De cive* 1.13; B 85<sup>v</sup>, p. 178. Cf. also Hobbes's translation of Thucydides 2.65 (equality gives rise to sedition) and 4.92 (the condition of equality is the condition of liberty). Robert Payne, in a letter to Gilbert Sheldon of 25 April / 5 May 1649, reports that Hobbes writes from Paris that he 'is of opinion that war here will be reduced to an equality very suddenly; – else he had come over to visit his friends, but now he defers that design till he sees more hopes of peace' ('Illustrations of the State of the Church During the Great Rebellion,' *The Theologian and Ecclesiastic* 6 (1848), p. 165). [Chk original letter.]

Hobbes generally emphasizes an epistemological cause of war, that people cannot be certain of their inequalities or that they misjudge them, over the ontological claim of actual equality. Thinking in terms of actual equality leads him to conclude in DC i.13 that conflict in the state of nature cannot result in victory and so will be perpetual (though even here he makes clear that in fact there are victories, but that they are unstable); more often, thinking in terms of uncertainty or widespread arrogance leads him to view the state of nature as a condition where inequalities often become apparent only through conflicts that do result in victory (*The Elements of Law* 1.14.4; *De cive* 1.6, 9.3; *Leviathan* 14.31, p. 70, 20.4, p. 102).

on them. He admits natural inequality and argues to consolidate the peaceful order that can arise therefrom.

Against radicals, Hobbes wishes to show that equality, like liberty, turns out not to be an ideal to follow, but instead a perilous state of affairs to avoid. Against traditionalists, and particularly the nobility, Hobbes argues for a limited natural equality that should serve to undercut the idea that elites have any right to their position other than one that is bestowed by the sovereign. Once again, both arguments aim to cut away at the bases of rebellion in order to shore up sovereign authority, and peace and security therewith.