

Hobbes's Laws of Nature

1 Aristotle's doctrine of the mean

If it is thus, then, that every art does its work well—by looking to the intermediate and judging its works by this standard (so that we often say of good works of the art that it is not possible either to take away or to add anything, implying that excess and defect destroy the goodness of works of art, while the mean preserves it; and good artists, as we say, look to this in their work), and if, further, excellence [virtue] is more exact and better than any art, as nature also is, then it must have the quality of aiming at the intermediate. I mean moral excellence; for it is this that is concerned with passions and actions, and in these there is excess, defect, and the intermediate. For instance, both fear and confidence and appetite and anger and pity and in general pleasure and pain may be felt both too much and too little, and in both cases not well; but to feel them at the right times, with reference to the right objects, towards the right people, with the right aim, and in the right way, is what is both intermediate and best, and this is characteristic of excellence. Similarly with regard to actions also there is excess, defect, and the intermediate. Now excellence is concerned with passions and actions, in which excess is a form of failure, and so is defect, while the intermediate is praised and is a form of success; and both these things are characteristics of excellence. Therefore excellence is a kind of mean, since it aims at what is intermediate. ...

Excellence [virtue], then, is a state concerned with choice, lying in a mean relative to us, this being determined by reason and in the way in which the man of practical wisdom would determine it. Now it is a mean between two vices, that which depends on excess and that which depends on defect; and again it is a mean because the vices respectively fall short of or exceed what is right in both passions and actions, while excellence both finds and chooses that which is intermediate. Hence in respect of its substance and the account

which states its essence is a mean, with regard to what is best and right it is an extreme.¹

Now the science of virtue and vice, is moral philosophy; and therefore the true doctrine of the laws of nature, is the true moral philosophy. But the writers of moral philosophy, though they acknowledge the same virtues and vices; yet not seeing wherein consisted their goodness; nor that they come to be praised, as the means of peaceable, sociable, and comfortable living; place them in a mediocrity of passions: as if not the cause, but the degree of daring, made fortitude; or not the cause, but the quantity of a gift, made liberality.²

2 Does the reply to the Fool prove too much?

Hobbes's argument for keeping one's contractual promises in the state of nature if the first party has already performed implies that it is also rational for the first party to perform, even if the second party has not yet done so, which means it is rational for both parties to keep "promises mutuall" in state of nature. To see this, suppose Alice and Bill make a contract to exchange Alice's horse for Bill's cow. If Alice is to be the first to perform, she will reason (provided she accepts Hobbes's argument in the answer to the fool) that it is rational for Bill to give her the cow if she keeps her part of the bargain by first turning over the horse to him. But if this is so, then it is also advantageous for her to perform. Provided that Bill is rational, giving Bill the horse will allow Alice to reap the benefits of the bargain — Bill's cow. Hence, provided it is rational for the second party to perform, given the first party's performance, it is also rational for the first party to perform. ... if keeping mutual promises in contractual situations is rational, does his answer to the fool commit Hobbes to admitting that the state of nature is a state of peaceful cooperation, in which contracts are frequently completed?³

¹ Aristotle, *Nicomachean Ethics* II.6, 1106b8–1107a8.

² *Leviathan* ch. 15, par. 40.

³ Jean Hampton, *Hobbes and the Social Contract Tradition*, (Cambridge University Press, 1986), pp. 65–6