

Justice and injustice in the state of nature - essay



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According to Hobbes, in the State of Nature there is no property and both justice and injustice are impossible, whereas for Locke both property and justice and injustice exist before the Social Contract. Explain how each philosopher reaches his conclusion. Then make an evaluation. Which philosopher has the better argument? Which philosopher has the better position?

Hobbes claimed that there is no property, justice and injustice in the State of Nature. To formulate Hobbes' argument, firstly, we have to grasp Hobbesian world of pre-society, the State of Nature. For Hobbes, the State of Nature is a state of war, in which everyone regards one another as enemies, opposing against each other. In such situation, there is no guarantee that one can keep his or her own possessions constantly; also, there is no justice and injustice because no law has been established. Hobbes's arguments are as following.

Firstly, Hobbes pointed out a biological observation that everyone naturally has nearly equal faculties of body and mind, as a fundamental fact in the State of Nature. Even though we may find some people who are seemed stronger or smarter than the others, Hobbes added that if we count all abilities that everyone have by nature, we will find that everyone has quite equal abilities on average. Besides, some may argue that some outstanding people, such as top scientists, have more abilities than the vulgar. However, Hobbes said, they attain their achievements not because of their more abilities than the others' but because of their hard working in a long time; thus we cannot take their stories as the disproof that people do not have equal abilities by nature. In addition, Hobbes indicated that people always

regard themselves being better than the others and this belief also can be taken as the evidence of people's equality in natural faculties.

From equality of abilities, hope and diffidence arise at the same time. On the one hand, since everyone has equal abilities, people naturally think they have chance to gain what they desire, so they pursue what they want actively. However, when two people desire the same thing and they cannot share it together, they will regard each other as opponent and enemy. Once the opposite state continues, it will be gradually extended to worse situation in which everyone wants to destroy one another for his or her own conservation or pleasure. Hobbes concluded that there are three causes of quarrels: competition for gaining thing, diffidence for own conservation, and glory for reputation.

In short, Hobbes claimed that with equal faculties, everyone has even opportunities to get what they want. However, because living resources are limited, it results in avoidlessly intense competitions among mankind. With consciousness that the others may have chances to get things we desire, we are commonly in an uneasy mental state. Since there is no arranged order or reasonable distribution in the state of nature, the best way to ensure one's living is to make efforts to get things as many as one can. What one is capable of obtaining is one's, no matter with what kind of methods, and that is why Hobbes said that force and fraud are two crucial virtues in the State of Nature, not justice. In the State of Nature, there is neither "yours" and "mine", nor "right" and "wrong". People do not have their respective legal possessions as their property. Everyone has to fight constantly to overcome their diffidence and earn their living. There is no justice and injustice

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because there is no law in the State of Nature. Property, justice and injustice, if they do exist, they will exist in the agreements of the members of a civil society. When people find that they can live in a more stable and peaceful state by composing society, they decide to consult with each other, set some social contracts based on their mutual profits and transfer their right to the ruler. In this way, people start a recognized game in society and everyone who joins the game has to obey the common rules, i. e., the laws. Then, we will have property, justice, and injustice.

Locke provided a different interpretation of the origin of property, justice and injustice from Hobbes'. Locke pointed that there are property, justice and injustice in the State of Nature, which are all protected by the law of nature. The State of Nature is governed by the law of nature, which ensures that property, justice and injustice exist in the State of Nature.

Compared with Hobbesian State of Nature, Lockeian State of Nature is much more comfortable. It is a state of freedom in which people can decide their actions and deal with their possessions. It is also a state of equality in which people have reciprocal power and can share the same advantage of nature and mutual love. We have freedom and equality by nature, and both are from God. We are made by God. Because God prefers his creature to last during his pleasure, God gives us the rights to preserve ourselves. Following God's will, we also have to preserve the other people, it means, we cannot invade the others unless we are offended. The law of nature can ensure people's basic right, such as properties, liberty and so on, and restrain people to use their freedom to harm the others, unless out of lawful punishment. In sum, in the State of Nature, property, justice and injustice are

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all ensured by the law of nature. We can work hard to get what we desire and claim that we possess those things as our property. We can also judge what is just or unjust according for everyone's own conservation.

After examining the theories of Hobbes and Locke, I think they both have some weak points in their arguments. Hobbes' premise based on too many psychological suppositions and Locke's was out of religious belief. Hobbes pointed out that mankind are equal in both physical and mental abilities and he said we can find the proof from the fact that people always regard themselves as the best one. I think that this was just his subjective viewpoint. As for Locke, if one does not believe in God, then, the whole argument will not be set up.

I prefer Locke's position, because I think even though Hobbes' argument is reasonable in some points about mankind's competition, in his argument, mankind has no reason and just like animals in the jungle. Locke's position, in which mankind is free and equal, is more consisting with reason and would be a more stable basis for modern society.