

ANALYSIS OF THE POLITICAL AND LEGAL
THEORY OF THOMAS HOBBES
IN HIS WORK "LEVIATHAN"

11

HOBBES'S "SCIENCE OF NATURAL JUSTICE"

Abstract

Dr. William E. Scheffelin

Hobbes Science Of Natural Justice

Robert Eccleshall, Michael Kenny



Hobbes Science Of Natural Justice:

Hobbes's 'Science of Natural Justice' C. Walton, Paul J. Johnson, 2012-12-06 Unlike many major figures in Western intellectual history Hobbes has refused to become dated and quietly take his appointed place in the museum of historical scholarship Whether by way of adoption or reaction his ideas have remained vibrant forces in mankind's attempts to understand the problems and dilemmas of living peaceably with one another As Richard Ashcraft said a few years ago One of the standards by which the greatness of political theorists is measured is their ability to evoke in us new insights into the human condition Only a few political writers have risen Dionysus like from the titanic assaults of their critics to become even more formidable forces in the shaping of our destiny One of these giants is surely the irascible and irrepressible Thomas Hobbes Given the power of Hobbes's thought it is not then perhaps surprising to find that his writings have generated seemingly endless scholarly controversy and an astonishing range of incompatible interpretations Among other things he has been interpreted as a theist and an atheist as a utilitarian and a deontologist a humanist and a scientist as a traditional natural law theorist and a legal positivist a contractualist and an absolutist indeed as Professor Morris notes in his contribution to the present volume as almost any kind of philosophicalist except Platonist or Aristotelist

Hobbes's "science of Natural Justice" Craig Walton, 1987

Hobbes on Justice Johan Olsthoorn, 2024-10-31 Thomas Hobbes 1588-1679 is widely regarded as one of the most important political thinkers in the Western tradition Justice is one of the main political concepts today This is the first book length analysis of Hobbes's ideas on justice Hobbes made many startling claims about justice Norms of justice have no place outside the commonwealth the civil law determines what is just and unjust and nothing sovereigns do is unjust to their citizens But what exactly did Hobbes mean by justice And how did he convince his audience that he was speaking about justice when advancing such controversial views and not about something else In *Hobbes on Justice* Olsthoorn traces the place of justice in Hobbes's moral legal political and international thought as developed over time The book reconstructs his idiosyncratic glosses on notions like justice rights injury obligation and law proposes new solutions to some long standing interpretive puzzles and provides in depth discussions of property slavery treason just war and other neglected aspects of Hobbes's thought Olsthoorn shows that Hobbes's theory of justice doubled as a civil theodicy it aimed to morally empower sovereign rulers by vindicating them from all stains of injustice no matter how horrid their rule Combining analytic philosophy intellectual history and political theory this major new study of Thomas Hobbes will be of wide and cross disciplinary interest to scholars of philosophy law politics and history

Hobbes and the Democratic Imaginary Christopher Holman, 2022-10-01 At a time when nearly all political actors and observers despite the nature of their normative commitments morally appeal to the language of democracy the particular signification of the term has become obscured Hobbes and the Democratic Imaginary argues that critical engagement with various elements of the work of Hobbes a notorious critic of democracy can deepen our understanding of the problems stakes and ethics of

democratic life Firstly Hobbes s descriptive anatomy of democratic sovereignty reveals what is essential to the institution of this form of government in the face of the conceptual confusion that characterizes the contemporary deployment of democratic terminology Secondly Hobbes s critique of the mechanics of democracy points toward certain fundamental political risks that are internal to its mode of operation And thirdly contrary to Hobbes s own intentions Christopher Holman shows how the selective redeployment of certain Hobbesian categories could help construct a normative ground in which democracy is the ethical choice in relation to other sovereign forms

Common Law and Liberal Theory James R. Stoner,1992 In this book James Stoner s purpose is to recover the common law basis of American constitutionalism American constitutionalism in general he argues and judicial review in particular cannot be fully understood without acknowledging their roots in both common law and liberal political theory But for the most part the common law underpinnings of constitutionalism have received short shrift

Early Modern Natural Law Theories T. Hochstrasser,P. Schröder,2013-06-29 The study of natural law theories in the early Enlightenment continues to be one of the most fruitful areas of research in early modern intellectual history In recent years there have been substantial reassessments of Grotius Pufendorf Thomasius 1 and the whole university based tradition associated with the Fr haujkl rung The appeal of the discourse of natural jurisprudence to groups and individuals operating outside conventional educational and political structures such as the Huguenot diaspora has also been highlighted Moreover the contextual understanding of the work of unambiguously major philosophers such as Hobbes and Kant and its reception has been greatly enhanced by studies that have sought to view them as 3 participants in rather than bystanders alongside the discourse of natural law Thus thinkers previously not considered central to this discourse have been incorporated into it afresh However there is no danger of natural jurisprudence going unchallenged as the meta discourse of political theory in this period for recently new studies of the role of libertine and jansenist thought in shaping the priorities of the early Republic of Letters have challenged its position among the intellectual 4 achievements of the social and political theory of the early Enlightenment This volume therefore offers a timely opportunity to reassess both the coherence of the concept of early Enlightenment and the specific contribution of natural law theories to it

Democracy and the History of Political Thought Stephen A. Block,Patrick N. Cain,Stephen Patrick Sims,2021-06-23 This volume provides a fresh perspective on current democratic theory and practice by recovering the rich evaluations of democracy in the history of political thought Each author addresses a single thinker s reflections on the virtues and defects of democracy and the relationship between democracy and other regimes Together these essays explore the tensions within the democratic way of life that arise from an attachment to equality liberty citizenship law and the divine Above all this work aims at recovering a more complex understanding of democracy connecting the perennial questions of political philosophy to the perplexities and crises of modern democracy

The Bloomsbury Companion to Hobbes S.A. Lloyd,2013-01-03 Thomas Hobbes 1588 1679 is widely held to be one of the most important

thinkers in the history of philosophy His contributions to ethics political philosophy and psychology in particular were hugely innovative and he was regarded by his contemporaries as a major intellectual figure This comprehensive and accessible guide to Hobbes s life and work features 120 specially commissioned entries written by a team of leading experts in the field of seventeenth century philosophy and political thought covering every aspect of Hobbes s ideas The Companion presents a comprehensive overview of the major themes and topics in Hobbes s work in particular within the fields of language political philosophy moral philosophy and psychology religion law and science It concludes with a thoroughly comprehensive bibliography of primary and secondary sources This is an essential reference tool for anyone working in the fields of seventeenth century philosophy and political theory

The Cambridge Companion to Hobbes's Leviathan Patricia Springborg, 2007-07-23 This Companion makes a new departure in Hobbes scholarship addressing a philosopher whose impact was as great on Continental European theories of state and legal systems as it was at home This volume is a systematic attempt to incorporate work from both the Anglophone and Continental traditions bringing together newly commissioned work by scholars from ten different countries in a topic by topic sequence of essays that follows the structure of Leviathan re examining the relationship among Hobbes s physics metaphysics politics psychology and religion Collectively they showcase important revisionist scholarship that re examines both the context for Leviathan and its reception demonstrating the degree to which Hobbes was indebted to the long tradition of European humanist thought This Cambridge Companion shows that Hobbes s legacy was never lost and that he belongs to a tradition of reflection on political theory and governance that is still alive both in Europe and in the diaspora

Hobbes and the Law of Nature Perez Zagorin, 2009-12-06 Zagorin clears up numerous misconceptions about Hobbes and his relation to earlier natural law thinkers in particular Hugo Grotius and he reasserts the often overlooked role of the Hobbesian law of nature as a moral standard from which even sovereign power is not immune Because Hobbes is commonly thought to be primarily a theorist of sovereignty political absolutism and unitary state power the significance of his moral philosophy is often underestimated and widely assumed to depend entirely on individual self interest Zagorin reveals Hobbes s originality as a moral philosopher and his importance as a thinker who subverted and transformed the idea of natural law Pub desc

A Companion to Early Modern Philosophy Steven Nadler, 2008-04-15 This is a reference for early modern philosophy Representing the most contemporary research in the history of early modern philosophy it is organized by thinker rather than theme and covers every important philosopher and philosophical movement of 16th and 18th century Europe

Hobbes and the Law David Dyzenhaus, Thomas Poole, 2012-08-30 A collection of essays devoted to the legal thought of Thomas Hobbes arguably the greatest political philosopher to write in English

Natural Law Republicanism Michael C. Hawley, 2022 By any metric Cicero s works are some of the most widely read in the history of Western thought Natural Law Republicanism suggests that perhaps his most lasting and significant contribution to philosophy lies in helping to inspire the development of liberalism

Individual rights the protection of private property and political legitimacy based on the consent of the governed are often taken to be among early modern liberalism's unique innovations and part of its rebellion against classical thought. However, Michael C. Hawley demonstrates how Cicero's thought played a central role in shaping and inspiring the liberal republican project. Cicero argued that liberty for individuals could arise only in a *res publica* in which the claims of the people to be sovereign were somehow united with a commitment to universal moral law which limits what the people can rightfully do. Figures such as Hugo Grotius, John Locke, and John Adams sought to work through the tensions in Cicero's vision, laying the groundwork for a theory of politics in which the freedom of the individual and the people's collective right to rule were mediated by natural law. Tracing the development of this intellectual tradition from Cicero's original articulation through the American Founding, *Natural Law Republicanism* explores how our modern political ideas remain dependent on the legacy of one of Rome's great philosopher-statesmen. *Thomas Hobbes* Gabriella Slomp, 2017-05-15 The aim of this collection is twofold: on the one hand, it brings together the most significant and influential articles on Hobbes that have been published in the twentieth century; on the other hand, it aims at capturing the trend of fragmentation of Hobbes studies, offering a taste of early, epic interpretations that engaged with the whole of Hobbes's theory, and a taste of later works interested in capturing more limited narratives and at recounting parallel stories that seem to be running through Hobbes's works. The introduction offers a compass to orient the reader's journey through the collection. *Piety and Humanity* Douglas Kries, 1997 The nature of the relationship between early modern political philosophy and revealed religion has been much debated. The contributors to *Piety and Humanity* argue that this relationship is one of dissonance rather than concord. They claim that the early modern political philosophers found revealed religion, especially Christianity, to be a threat to the modern political project, and that these philosophers therefore attempted to transform revealed religion so that it would be less of a threat and possibly even an aid. Each essay is devoted to a particular work by a single political philosopher; the thinkers and works discussed include Machiavelli's *Exhortation to Penitence*, Francis Bacon's *New Atlantis*, Spinoza's *Theologico-Political Treatise*, and Locke's *Reasonableness of Christianity*. Each essay is followed by a brief, selected bibliography. This book will be of great importance to philosophers, political theorists, and scholars of religion and early modern European history. **Theaters of Pardoning** Bernadette Meyler, 2019-09-15 From Gerald Ford's preemptive pardon of Richard Nixon to Donald Trump's claims that as president he could pardon himself, to the posthumous royal pardon of Alan Turing, the power of the pardon has a powerful hold on the political and cultural imagination. In *Theaters of Pardoning*, Bernadette Meyler traces the roots of contemporary understandings of pardoning to tragicomic theaters of pardoning in the drama and politics of seventeenth-century England. Shifts in how pardoning was represented on the stage and discussed in political tracts and in Parliament reflected the transition from a more monarchical and judgment-focused form of the concept to an increasingly parliamentary and legislative vision of sovereignty. Meyler shows that on the English stage, individual pardons of revenge subtly transformed into

more sweeping pardons of revolution from Shakespeare's *Measure for Measure* where a series of final pardons interrupts what might otherwise have been a cycle of revenge to later works like John Ford's *The Laws of Candy* and Philip Massinger's *The Bondman* in which the exercise of mercy prevents the overturn of the state itself. In the political arena the pardon as a right of kingship evolved into a legal concept culminating in the idea of a general amnesty the Act of Oblivion for actions taken during the English Civil War. Reconceiving pardoning as law giving effectively displaced sovereignty from king to legislature a shift that continues to attract suspicion about the exercise of pardoning. Only by breaking the connection between pardoning and sovereignty that was cemented in seventeenth century England Meyler concludes can we reinvigorate the pardon as a democratic practice.

The Routledge Companion to Shakespeare and Philosophy Craig Bourne, Emily Caddick Bourne, 2018-10-25

Iago's "I am not what I am" epitomises how Shakespeare's work is rich in philosophy from issues of deception and moral deviance to those concerning the complex nature of the self the notions of being and identity and the possibility or impossibility of self knowledge and knowledge of others. Shakespeare's plays and poems address subjects including ethics epistemology metaphysics philosophy of mind and social and political philosophy. They also raise major philosophical questions about the nature of theatre literature tragedy representation and fiction. *The Routledge Companion to Shakespeare and Philosophy* is the first major guide and reference source to Shakespeare and philosophy. It examines the following important topics: What roles can be played in an approach to Shakespeare by drawing on philosophical frameworks and the work of philosophers? What can philosophical theories of meaning and communication show about the dynamics of Shakespearean interactions and vice versa? How are notions such as political and social obligation justice equality love agency and the ethics of interpersonal relationships demonstrated in Shakespeare's works? What do the plays and poems invite us to say about the nature of knowledge belief doubt deception and epistemic responsibility? How can the ways in which Shakespeare's characters behave illuminate existential issues concerning meaning absurdity death and nothingness? What might Shakespeare's characters and their actions show about the nature of the self the mind and the identity of individuals? How can Shakespeare's works inform philosophical approaches to notions such as beauty humour horror and tragedy? How do Shakespeare's works illuminate philosophical questions about the nature of fiction the attitudes and expectations involved in engagement with theatre and the role of acting and actors in creating representations? *The Routledge Companion to Shakespeare and Philosophy* is essential reading for students and researchers in aesthetics philosophy of literature and philosophy of theatre as well as those exploring Shakespeare in disciplines such as literature and theatre and drama studies. It is also relevant reading for those in areas of philosophy such as ethics epistemology and philosophy of language.

Western Political Thought Robert Eccleshall, Michael Kenny, 1995. This is a guide to the vast amount of literature on the history of political thought which has appeared in English since 1945. The editors provide an annotation of the content of many entries and where appropriate indicate their significance controversial nature and

readability **Virtues And Rights** R. E. Ewin, 2019-03-20 This book is a timely interpretation of the moral and political philosophy of Thomas Hobbes Staying close to Hobbes's text and working from a careful examination of the actual substance of the account of natural law R E Ewin argues that Hobbes well understood the importance of moral behavior to civilized society This interpretation stands as a much needed corrective to readings of Hobbes that emphasize the rationally calculated self interested nature of human behavior It poses a significant challenge to currently fashionable game theoretic reconstructions of Hobbesian logic It is generally agreed that Hobbes applied what he took to be a geometrical method to political theory But as Ewin forcefully argues modern readers have misconstrued Hobbes's geometric method and this has led to a series of misunderstandings of Hobbes's view of the relationship between politics and morality Important implications of Ewin's reading are that Hobbes never thought that the war of each against all was an empirical possibility for citizens that his political theory actually presupposes moral agency and that Hobbes's account of natural law forces us to the conclusion that Hobbes was a virtue theorist This major contribution to Hobbes studies will be praised and criticized welcomed and challenged but it cannot be ignored All philosophers political theorists and historians of ideas dealing with Hobbes will need to take account of it Thomas Hobbes and the Natural Law Tradition Norberto Bobbio, 1993-03-15 Pre eminent among European political philosophers Norberto Bobbio has throughout his career turned to the political theory of Thomas Hobbes Gathered here for the first time are the most important of his essays which together provide both a valuable introduction to Hobbes's thought and a fresh understanding of Hobbes's place in the theory of modern politics Tracing Hobbes's work through *De Cive* and *Leviathan* Bobbio identifies the philosopher's relation to the tradition of natural law That Hobbes must now be understood in both this tradition as well as in the seemingly contradictory positivist tradition becomes clear for the first time in Bobbio's account Bobbio also demonstrates that Hobbes cannot be easily labelled liberal or totalitarian in Bobbio's provocative analysis of Hobbes's justification of the state Hobbes emerges as a true conservative Though his primary concern is to reconstruct the inner logic of Hobbes's thought Bobbio is also attentive to the philosopher's biography and weaves into his analysis details of Hobbes's life and world his exile in France his relation with the Mersenne circle his disputes with Anglican bishops and accusations of heresy leveled against him The result is a revealing thoroughly new portrait of the first theorist of the modern state

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Table of Contents Hobbeeb Science Of Natural Justice

1. Understanding the eBook Hobbeeb Science Of Natural Justice
 - The Rise of Digital Reading Hobbeeb Science Of Natural Justice
 - Advantages of eBooks Over Traditional Books
2. Identifying Hobbeeb Science Of Natural Justice
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Hobbeeb Science Of Natural Justice
 - User-Friendly Interface
4. Exploring eBook Recommendations from Hobbeeb Science Of Natural Justice
 - Personalized Recommendations
 - Hobbeeb Science Of Natural Justice User Reviews and Ratings
 - Hobbeeb Science Of Natural Justice and Bestseller Lists
5. Accessing Hobbeeb Science Of Natural Justice Free and Paid eBooks
 - Hobbeeb Science Of Natural Justice Public Domain eBooks
 - Hobbeeb Science Of Natural Justice eBook Subscription Services
 - Hobbeeb Science Of Natural Justice Budget-Friendly Options
6. Navigating Hobbeeb Science Of Natural Justice eBook Formats

- ePub, PDF, MOBI, and More
- Hobbeeb Science Of Natural Justice Compatibility with Devices
- Hobbeeb Science Of Natural Justice Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Hobbeeb Science Of Natural Justice
 - Highlighting and Note-Taking Hobbeeb Science Of Natural Justice
 - Interactive Elements Hobbeeb Science Of Natural Justice
- 8. Staying Engaged with Hobbeeb Science Of Natural Justice
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Hobbeeb Science Of Natural Justice
- 9. Balancing eBooks and Physical Books Hobbeeb Science Of Natural Justice
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Hobbeeb Science Of Natural Justice
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine Hobbeeb Science Of Natural Justice
 - Setting Reading Goals Hobbeeb Science Of Natural Justice
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Hobbeeb Science Of Natural Justice
 - Fact-Checking eBook Content of Hobbeeb Science Of Natural Justice
 - Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
- 14. Embracing eBook Trends
 - Integration of Multimedia Elements
 - Interactive and Gamified eBooks

Hobbe Science Of Natural Justice Introduction

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