

From Power to Order, From Hobbes to Hume

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IN his theory of political order, Hobbes is bothered by a grievous explanatory problem: how to get out of the state of nature into political society. His solution, contracting out, cannot work. In his later theory of political order, Hume finds this transformation not to be a problem. He supposes that social cooperation and organization evolve in plausible ways into political society and he presents a philosophical history of such evolution. There is, he supposes, no way to establish the truth of this history, which has the character of a rational reconstruction rather than of a history. For Hume, the principal task is to understand how such a society works, not to explain how it comes to be in the first place. In very small societies individual and collective interests typically coincide. In large societies they often do not and government is needed to secure collective interests. Even in larger societies, however, much of social life is carried on at the small scale and does not require government sanction to make it work beneficially. Hence, the role of government, although very important, is far more modest than in Hobbes's view.

More fundamentally, the *homo economicus* who stands at the center of Hobbes's state of nature is a product of well-organized societies, not the material from which they are originally constructed. Or, more accurately, *homo economicus* evolves socially along with society. In simpler societies, there may be little need for coercive government because collective and individual interests may generally coincide. The individual may therefore not readily distinguish own interests from those of the wider society.

A PHILOSOPHICAL HISTORY OF THE RISE OF THE STATE

As does Smith more extensively after him, Hume argues for the rise of states to meet exigencies of external threats. Early governments were monarchical because for them the central concern was the capacity to respond to sudden events, such as attack. Contrary to Hobbes, he supposes that "The state of society without

government is one of the most natural states of men . . ." So much so, indeed, that "Nothing but an encrease of riches and possessions cou'd oblige men to quit it . . ." While Hobbes supposes that his laws of nature govern only *in foro interno* unless there is some sovereign power to enforce them, Hume supposes that small societies may survive without government while observing "those three fundamental laws concerning the stability of possession, its translation by consent, and the performance of promises." These fundamental laws entail obligations.¹

Hume says his fundamental laws were invented in response to concerns for self-interest.² Hence, they may not be natural in the sense that Hobbes supposes his laws of nature are. But this distinction is more verbal than substantive because Hume and Hobbes both seem to think they can deductively derive what the obvious content of these laws must be from the facts, as they understand them, of human nature.

The chief difference between Hobbes and Hume on this matter may be a trivial one of imagination. Hume is able to imagine a small society of people who will have frequent contacts with one another whereas Hobbes thinks immediately of such large societies as his own, in which one may interact with new people almost daily. In a small society, as Hume argues, self-interest is sufficient motivation to effect justice.³ Each of us is essentially in an ongoing relationship with each other, so that we may all dyadically find it in our interest to be cooperative in the kinds of Prisoner's Dilemma interactions that Hobbes thinks we face and that Hume's laws of possession and transference of property and of keeping promises are contrived to regulate.

To resolve the problems of a large society, Hobbes supposes we require the imposition of a powerful sovereign so that our relationships with thousands of others are regulated by dyadic relationships with the sovereign. The sovereign has the power to force each of us to be reliable in our cooperative engagements with any other. He supposes that the move from the most primitive conditions of human life in the presocial state of nature requires instant submission to such a sovereign. Hume supposes on the contrary that the most primitive conditions of human life were in familial and small-group arrangements. In these conditions cooperation was natural because it was often enough consistent with self-love. Our interactions with one another, when viewed abstractly outside their larger

¹ Hume, T3.2.8, p. 541. Hume's works will be cited with book, part, and section numbers as relevant followed by page numbers, according to the following abbreviations: T: *A Treatise of Human Nature* [1739-40], ed. L. A. Selby-Bigge and P. H. Niddich (Oxford: Oxford University Press, 1978, 2nd edition); EPM: *Enquiry Concerning the Principles of Morals* [1751], in Hume, *Enquiries*, ed. L. A. Selby-Bigge and P. H. Niddich (Oxford: Oxford University Press, 1975, 3rd edition [1777]); *Essays: Essays Moral, Political, and Literary*, ed. Eugene F. Miller (Indianapolis, Ind.: Liberty Press, 1985).

² Hume, T3.2.8, p. 543.

³ Hume, T3.2.8, p. 543.

context, often are, in contemporary language, the Prisoner's Dilemmas that bother Hobbes. But in their fuller context they are Prisoner's Dilemmas dyadically iterated into the distant future with the same relatively small set of individuals. In such interactions, even the most determinedly self-interested person must typically play cooperatively.⁴ Hence, in small societies, "self-love . . . produces the rules of justice."⁵

Hume effectively agrees with Hobbes that self-love cannot directly produce cooperative behavior in a larger society. He says, "when men have observ'd, that tho' the rules of justice be sufficient to maintain any society, yet 'tis impossible for them, of themselves, to observe those rules, in large and polish'd societies; they establish government, as a new invention to attain their ends, and preserve the old, or procure new advantages, by a more strict execution of justice."⁶ This is at once a powerful and a flawed claim. We see that things are not working well, so we establish government. There are two categories of things that might not be working well. First, we may find it increasingly difficult to sustain the natural rules of justice. For example, we may often be unable to enter enforceable agreements with those who could benefit us but with whom we will not interact often enough to secure cooperation. A government that can enforce contracts could resolve this problem in cases of such significance to us as to justify the trouble of having government. Second, we find that we cannot act collectively to accomplish our collective purposes when our numbers are too large. Hume himself is one of the earliest to recognize this problematic logic of collective action in his example of the difficulty a thousand neighbors would have in draining a marshy meadow.⁷

Unfortunately, the class of important issues that fall under this second problem includes the task of creating government itself. In a large society, we cannot simply see that we need government and then conclude by creating it. Self-love may block you and me from acting jointly with all our potential fellow citizens. In Hume's philosophical history, despite the occasional vocabulary of 'invention,' complex government evolves from the very primitive form in which nothing more than military leadership is at issue. "So far am I from thinking with some philosophers," Hume says, "that men are utterly incapable of society without government, that I assert the first rudiments of government to arise from quarrels, not among men of the same society, but among those of different societies."⁸ It is striking that the first form of government, military leadership in time of external conflict, does not have the character of the Prisoner's Dilemma. It is,

⁴ There is a massive literature on this problem. For extended discussion, see Russell Hardin, *Collective Action* (Baltimore, Md.: Johns Hopkins University Press for Resources for the Future, 1982), especially chapters 9-14.

⁵ Hume, T3.2.8, p. 543.

⁶ Hume, T3.2.8, p. 543.

⁷ Hume, T3.2.7, p. 538.

⁸ Hume, T3.2.8, p. 539-40.

rather, a coordination interaction. We all want the same thing—good leadership—and, if there are clear enough criteria for determining who has it, we can relatively easily agree on whom to follow.

The interaction may not be one of pure coordination because there may be advantages or disadvantages to leadership that attract or repel potential candidates. In such cases, trivial considerations, such as which family has the most potential fighters or who led the last time out, might help to single out the most plausible leader. Hume supposes that long usage helps to establish the rightness of many things, as it does for the rightness of a particular family's claim on the monarchy or of such customary principles as primogeniture. Apart from any claim to their rightness, one might suppose that long usage establishes expectations.⁹ Each of us expects everyone to acknowledge a particular family's scion as our monarch and, therefore, that person succeeds to the monarchy without opposition and rules with expectation of success. That expectation is grounded in the rational understanding of virtually every one of us that it is not in our interest to oppose the conventionally chosen monarch. Hence, once we get leadership substantially under way, we can expect to see it continue. Once it is established for military purposes, it can be generalized to cover other contexts, such as internal disputes over property. From such primitive origins, government may grow to encompass quite large societies.

In Hume's argument, it is important that there may be nothing inherently right in the choice of a particular government. As he says, "the particular government . . . is equally advantageous with any other that could easily be settled."¹⁰ We can have fallen into our government in any number of casual, irrelevant ways. Perhaps you were at the critical place on the field during a battle and became our accidental leader. Or perhaps, when a succession to the monarchy could not be settled by past practices, we decided from a silly metaphor to choose one rather than another candidate.¹¹ Our metaphorical principle, no matter how silly, may then govern future choices as though it were a moral truth. Such characteristics of the choice suggest that, as far as the interests of most of us are concerned, the choice is merely one of coordination on some one of the possible, equally good outcomes.

Despite the clarity of his arguments about the evolution of the state from simpler societies and about the conventional nature of government, Hume also frequently makes intentionalist claims that do not fit these arguments. He uses such terms as invention, he speaks of our interest as motivating us to establish government,¹² and he says that "government is entirely useless without an exact

⁹ Hume, T3.2.10, p. 556.

¹⁰ Hume, *Essays*, p. 33.

¹¹ T3.2.11, p. 566.

¹² T3.2.8, p. 543; T3.2.9, p. 550; T3.2.11, p. 568.

obedience."¹³ These claims may all be the result of Hume's succumbing to the fallacy of composition that undermines much of philosophical reasoning about politics from the ancients to the present day. That fallacy is to suppose, without argument for why it should be true, that the interests or intentions or whatever of each of the individuals in a group or society are the interests of the society or vice versa. We may very well agree that it is collectively beneficial for us to have a government with well enforced laws to ensure order and fairness. It does not follow that it is my interest or yours to do anything to support such laws or to be orderly and fair in our actions if the laws cannot be successfully enforced against us.

Hume himself shows the fallacy of assuming that it is in my interest to contribute toward what is in our collective interest in his argument about the difficulty of a thousand neighbors draining their adjoining marshy meadow. He notes that such objects of common interest can readily be provided "by the care of government, which, tho' compos'd of men subject to all human infirmities, becomes, by one of the finest and most subtle inventions imaginable, a composition, that is, in some measure, exempt from all these infirmities."¹⁴ This is, of course, the concluding discussion of the section, "Of the origin of Government," of the *Treatise*, where it is misfit as an account of what government can and does do rather than of how it originates.

For origins, Hume's consistent account is that of the evolution from ungoverned primitive societies to complex government. The intentions that play roles in this evolution are momentary, they are focused by short-term interests of relevant individuals. What results more generally is not fully intended. I do not fall in behind your happenstance leadership on the battlefield for any reason other than immediate survival. But my action may well contribute to your becoming my governor in far-reaching ways.¹⁵ To speak as though individual intentions related directly to the longer-run, larger prospects is simply wrong, as Hume himself insists in his philosophical history and as he also understood for individual intentions in revolutionary times.

FROM ANARCHY TO POWER

The most dramatic difference between Hobbes and Hume is not merely that Hume is more optimistic about the social possibilities for humans but that his account allows a resolution of the most difficult problem Hobbes left unresolved in his own system. How does a collection of anarchically organized people

¹³ T3.2.10, p. 554.

¹⁴ T3.2.7, p. 539.

¹⁵ Hume, *Essays*, pp. 39–40, 468–9.

become a hierarchically organized society in which the sovereign or government has the requisite power to manage conflicts and even coordinations? Hobbes saw this problem as central to his contractarian account of the deliberate creation of government. But he also clearly recognized that the problem was not resolvable and, sadly, he glossed over it in *Leviathan*.¹⁶ We cannot bestow power on you simply by designating you our first sovereign. If we had the power to decide whether you are sovereign at that moment, we could as well have the power to reverse ourselves in the next moment. You gain little if any power from our initial choice and therefore cannot block our whimsical change of mind.

Power is often conceived as roughly a category of resources. A modern nation may own a vast collection of weapons in which it has invested and therefore it has power. Such power is produced by skimming off some of what is produced in the nation's larger economy. We may call it exchange power, because it derives from value that is created by exchange and that can be taxed by the state. Clearly, a sovereign newly appointed in an anarchic society may not acquire any such power. Indeed, in Hobbes's state of nature there was too little exchange to allow the amassment of wealth to be taxed, and the first power an initial sovereign would need in order to acquire exchange power is the power to tax.

Prior to the accumulation of exchange power there must typically be something vaguely like the power to maintain order and to tax. Such power can come from mere coordination, and we may sensibly call it coordination power. When marauding tribes swept down on cities before recent times, they often had no greater wealth than what the tribe members individually created by fashioning their personal weapons and by raising animals. A leader behind whom enough other people coordinated had power from the potential efforts of those other people, not from stores of substantive resources. Hume's and Smith's philosophical history of the rise of states is a history of the gradual growth of coordination that eventually made taxation and the amassment of physical resources in central hands possible, and that therefore made exchange power possible.¹⁷

On Hume's account, power can simply grow with order. Eventually it may be used to maintain order, and exchange and coordination power may therefore become mutually reinforcing. Before the modern conscription army, indeed, much of military power turned on the capacity to coordinate large numbers of people. Exchange power was of relatively little import. Those who were coordinated benefited, if at all, from plunder rather than from support from the government or other leaders for whom they fought.

¹⁶ For the full account, see Russell Hardin, "Hobbesian Political Order," *Political Theory* 19 (May 1991): 156–80, especially pp. 168–73.

¹⁷ This view of power is spelled out more extensively in Russell Hardin, "The Social Evolution of Cooperation," in Karen Cook and Margaret Levi (eds), *The Limits of Rationality*, (Chicago: University of Chicago Press, 1990), pp. 358–78.

Hobbes's recognition of the problem of creating power lies behind his compelling account of the creation of sovereign authority by conquest in lieu of creation by contract or institution. Causally, he requires nothing more than this, which Hume's philosophical history provides. We need only understand how we get from one state to another, as it were, in *medias res*. Normatively, Hobbes also requires nothing more because his normative position is that government is good if it makes all better off than in the state of nature (all but destructive glory seekers and intolerant religious fanatics). Hume, however, seems to think he needs further normative arguments. Why? Because his government is not one of absolute sovereignty. We will take part in government to some extent after it is in place. What will motivate us then? For Hobbes, the positive power of a coercive government will motivate us. Hume attempts to supply us with a normative motivation in his account of political obligation.

POLITICAL OBLIGATION: FROM SELF-INTEREST

In writing on political obligation and political obedience, Hume does not make a distinction that simplifies much of contemporary debate on political and legal obligation. In these debates it is commonly supposed that an obligation must be the result of a personal action or commitment of some kind to assume the obligation. I am obligated to do something for you by the fact that I have promised or by the fact that you have conferred some benefit on me. With the rejection of religious grounds for political obligation in this sense, the most influential argument has been some version of obligation from promising or consenting to abide by a government's laws, as in contractarian political theories such as that of Locke. Hume convincingly rejects contractarian claims to base obligation in consent.

In Hume's account, I am obligated to obedience to government from my interest in its successful ordering of my society.¹⁸ Many contemporary writers would prefer to call this a duty rather than an obligation. In keeping with Hume's usage, I will speak of political obligation while stipulating that the notion does not depend on consensual or other assumption of the obligation by individuals. All that matters is that political obedience be generally in my interest for me to have a political obligation. This is a complex claim. It is not factually implausible, as arguments from consent are. Most, even all, of us probably would agree that having stable government is in our interest. But the logic of the claim is not immediately clear. From the fact that I have an interest in stable government, it may not follow that I have an interest in doing anything, such as being obedient,

¹⁸ T3.2.10, p. 554–5.

to secure or support that government. Let us follow Hume in trying to make sense of his view.

Hume puts protection of property at the center of our interests in having effective government. "Tis highly advantageous, and even absolutely necessary to society, that possession should be stable; and this leads to the establishment of such a rule."¹⁹ The justification of the rule of property is that it benefits us. Why then should we not simply look directly to benefits rather than to an intermediary rule? We could simply assign and reassign property to those who benefit most from it. Alas, if we follow this general principle of benefit "in assigning particular possessions to particular persons, we shoud'd disappoint our end, and perpetuate the confusion, which that rule is intended to prevent."²⁰ It is not possible for us to make direct assessments because these would be attended by disagreement and confusion.

In this argument for interposing general rules and institutions between us and the purposes we wish to serve, Hume seems to have the seeds of two contemporary theses in view. One of these is that information, or knowledge, is not universally well distributed. The other is that, as John Rawls argues, when we design an institution to achieve our purpose we then must stipulate behaviors for role holders within the institution according to their function in the institution and not according to the direct achievement of the general purpose for which we have created the institution.²¹ These two theses are related in part in that one reason for having role holders follow particular procedures defined by their institutions is that they cannot know enough on the whole to act directly for more general purposes such as enhancing the general welfare. Cyrus could not know enough to allocate contested goods according to a general principle of welfare; he could only know enough to follow the dictates of property relations. In doing this latter, he best furthered the general welfare of his subjects.²²

To this point we have only an argument for why we want institutions to follow general rules. From this it does not follow that I want to follow such rules myself. My personal interest may be better furthered by my acting against some general rule that I would like to see generally followed by everyone else. Hence, I have an interest in having such rules imposed on others. Indeed, I may even have an interest in having them imposed on others at the cost of also having them imposed on me. But, if I possess the Ring of Gyges or the Ring of the Nibelung, I have no interest in voluntarily following those rules. My interests will be best served by my being in a world in which I am the unique exception to the rules. If this is so, Hume's claim that my obligation is grounded in my interest is ill-defined. Only in conjunction with some additional principle—of

¹⁹ T3.2.10, p. 555.

²⁰ *Ibid.*

²¹ John Rawls, "Two Concepts of Rules," *Philosophical Review* 64 (1955): 3–32.

²² EPM304–305.

universalization, utility, or fairness—can my political obligation be grounded in my interest in there being government.

POLITICAL OBLIGATION: FROM THE GENERAL WELFARE

Does Hume have an additional principle potentially at work? He often sounds utilitarian, as when he says that the rules of justice "owe their origin and existence to that utility, which results to the public from their strict and regular observance."²³ Throughout his discussions of these issues, Hume constantly grounds his claims in interests. Often, this seems to be a utilitarian move. Indeed, some of his apparent slips into the fallacy of composition may be slips from individual to collective interest as seen from a larger, utilitarian perspective. Although there may be an anachronism in reading contemporary visions into past discussions, let us suppose his views are essentially utilitarian. What now follows for my political obligation? May I now be obligated to obey government by the fact that such obedience in general is beneficial to all? Only if we can be confident that government will serve utility. Hume is so confident that it will in general that he uses utility to explain variations in laws.²⁴

Consider one of the most puzzling passages in all of Hume's moral and political philosophy:

Had every man sufficient *sagacity* to perceive, at all times, the strong interest which binds him to the observance of justice and equity, and strength of mind sufficient to persevere in a steady adherence to a general and a distant interest, in opposition to the allurements of present pleasure and advantage; there had never, in that case, been any such thing as government or political society, but each man, following his natural liberty, had lived in entire peace and harmony with all others.²⁵

This passage may be merely a sharper statement of his parallel arguments in the Treatise in the section "Of the Origin of Government."²⁶ But the Hume who earlier worried about being the cully of his own integrity seems here to be the cully of idealistic meandering. Here he does not make my adherence to justice a good for myself in its own right, as Socrates might. He seems rather to make it a means to my being well off. The only obstacles to the natural reign of justice are ignorance and weakness of will. It is actually in our interests individually to act justly if only everyone else does so as well.

There may be a fallacy of composition behind this odd claim. Unfortunately, Hume does not say enough about why one should think a large number of people all taking the long view would see it in their interests individually to act with complete justice toward each other. His arguments for why this must be true in

²³ EPM 3.1, p. 188; also see 3.2, p. 195, 4, p. 205.

²⁴ EPM 4, pp. 205–11.

²⁵ EPM 4, p. 205, Hume's emphases.

²⁶ T3.2.7.

very small societies do not generalize to larger societies, as he clearly recognizes. Even in a small society there might be occasions when it would be possible to commit a secret injustice that is to one's great advantage, or when two individuals have so much at stake in a momentary exchange that one of them would willingly end any hope of further interaction in order to gain the most possible now. (Along with effects on the particular relationships, one would want to take reputational effects into account. But in some circumstances these would not have much or any weight.)

Where does Hume really stand on these matters? The longer passage quoted above could be fitted to many other of his arguments without strain, but it violates the natural reading of many others. When he speaks of a person's interests he usually seems to mean the ordinary sense of that term. For example, he recognizes that inequality of property may benefit some more than others. Hence, he may think it the interest of all that there be inequality in order to achieve productivity, as in Rawls's difference principle, but he still gives clear meaning to the notion of personal interests in conflict. But if he recognizes the possibility of conflicts of interest over various distributional, contractual, or other issues, then he must grant the possibility that the interest of the whole society is not trivially identical with the interest of every individual member of it. In that case, it is not merely an error and a matter of weakness of will that we may fail to achieve justice in the absence of government. It is potentially also a matter of conflict of individual interests.

Recall Hume's meadow. A thousand people cannot be expected to act cooperatively to drain their common meadow. Perhaps Hume has merely recognized that this is typically true in fact but he has not understood why it is true. From his theory of the passions he supposes that the problem is essentially one of weakness of will in the tendency to sacrifice future to present interests. Even on this view there is a clear sense of the meaning of interest that allows intrapersonal conflicts of interest. It would be odd to suppose my present interests could conflict with my longer run interests and yet insist that my longer run interests cannot conflict with those of my fellow citizens. Hence, at best Hume recognizes this problem some of the time and then ignores it some of the time in making his general arguments about allegiance and political obligation.

Essentially Hume grounds political obligation in a claim of mutual advantage.²⁷ As is true in general of mutual advantage arguments, however, Hume's claim is fundamentally indeterminate.²⁸ Of the potentially vast set of arrangements that would all be universally preferred to no government, no one can be

²⁷ As he says at the end of the paragraph from which the long quotation above is taken, "the sole foundation of the duty of allegiance is the *advantage*, which [government] procures to society, by preserving peace and order among mankind" (EPM 4, p. 205).

²⁸ Russell Hardin, "Political Obligation," in Alan Hamlin and Philip Pettit, eds, *The Good Polity* (Oxford: Basil Blackwell, 1989), pp. 103–19.

expected to be the best choice for every one of us. We must therefore conflict over the choice. Mere sagacity and strength of mind will not overcome this conflict, nor could the combination of them produce harmony without government.

ASYMMETRIES OF KNOWLEDGE

Return to Cyrus's problem. One reason Cyrus should not even attempt to enhance welfare for his subjects by engaging in piecemeal redistribution case by case is that he could not plausibly know enough about many of his subjects and their welfare to do so. It is only his subjects themselves and perhaps their close associates who know many things about their welfare. Cyrus serves them by enforcing laws that permit them to work out their own welfares as they see them. Cyrus may then have one kind of knowledge not shared by many of his citizens: He may know the general character of the laws and how they fit together. He may also have the power to do what can be seen to be of general interest, such as building roads, dredging harbors, and raising an army.

Suppose Cyrus, acting on what knowledge could plausibly be available to him, imposes laws. Again, these will be indirectly, rather than directly, beneficial. Moreover, given what knowledge he could have, Cyrus's laws may be genuinely utilitarian. But I may have other kinds of knowledge available, and my knowledge may imply that my violation of a law of Cyrus would be utilitarian. If I am obligated to obey in part because of utilitarian considerations, I may not only not be obligated to obey but even be obligated to disobey the law.²⁹

Of course, it may happen that, despite my special knowledge, I should obey Cyrus's law because my disobedience would weaken the force of law more generally and this secondary effect might outweigh any direct effects of my obedience. But often I might rightly conclude that disobedience is utilitarian. And in any case, my decision on how to act under any law would follow from a direct utilitarian assessment of the overall effects of my action, not from a principle of obedience. Hence, if Hume's arguments on why legal rules should be general are compelling, he cannot derive a utilitarian obligation in principle to obey the law. Moreover, he cannot show that any general rule is itself utilitarian except by comparison to some other, inferior rule or the radical absence of any rule. Apart from the relatively agreeable claim that a large society without law would be worse than one with various possible laws of property, Hume makes no such convincing comparisons.

Hence, whether we confine his argument to grounding in individual interests or broaden it to include utilitarian concern, we cannot get an in-principle argu-

²⁹ See further, Russell Hardin, "My University's Yacht: Morality and the Rule of Law," in Randy E. Barnett and Ian Shapiro, eds, *NOMOS 26, The Rule of Law* (New York: New York University Press, forthcoming).

ment for political obligation by an individual citizen. The most we can derive is a citizen's analog of the obligations of institutional role holders to follow their institutions' rules. But this may not be very much. In the observance of justice, Hume says, "the *moral obligation* holds proportion with the *usefulness*."³⁰ The causal connections between one citizen's actions and the general welfare must typically be far more tenuous than that between an institutional role holder's actions and the general welfare. Cyrus could have affected the value of property relations to a degree far beyond what most of his citizens could have done.

On this view, political obligation is nothing more than a shorthand to cover the presumption that political institutions and their role holders have knowledge and organizational advantages that enable them to secure justice better than can individual citizens acting wholly on their own.

CONCLUSION

Hume makes a substantial advance on Hobbes with his recognition of the likelihood of cooperative arrangements without need of a coercive government for small enough societies. But he may also be retrogressive in his less assiduous avoidance of the fallacy of composition with his odd supposition that it is in all our interests, seen over the longer term, to give perfect attention to the rules of justice. Hume's reason for our failing to follow the rules of justice is that we are shortsighted in our evaluations of our own interests and often ignorant of actual causal relations that further our interests. Hobbes's reason is that we have conflicting interests, especially material and status interests. Hobbes surely has the better argument here.

Whatever his reason for our tendency to injustice, Hume still requires the imposition of power by government to achieve a more perfect justice. But he thinks, contrary to Hobbes's view, that this imposition can be relatively limited. Indeed, it may appear only in the background for much of our social life. Many of our interactions—perhaps more in his day than in ours—can be governed by the natural rules of justice because they are in small, ongoing groups. Contrary to his excessive, Hobbesian claims that we need an "exact" obedience to the rules of justice, we can surely get by with less. Political order must be grounded in coercive power only in large societies and only for some aspects of such societies. Much of the order we see comes quite spontaneously without direct institutional contrivance, even though it may require a large institutional background of stability.

³⁰ EPM 4, p. 206.

Finally, if we take Hume's utilitarian tendencies as central, we may justify the creation and maintenance of government even though we may not be able to justify a claim of individual obligation to it. Individuals have only the duty to obey when obedience seems likely to be utilitarian. This may be most of the time if the government is relatively good. But even a relatively good government may not merit Hume's "exact" obedience.