

Ditching Justice: Hobbes and Contemporary Political Psychology

Abstract

Hobbes tells us to give up on the “greatest good” or *Summum Bonum* because arguments about justice lead to ‘competition for honor and dignity,’ which leads to ‘envy and hatred, and finally war.’ The evidence that people’s “honor and dignity” are more supported by fair procedures than fair outcomes (Tyler, et al. 2007) would probably surprise Hobbes, as would the evidence of the high support for even unjust laws and unfair legal institutions. On the other hand, when people do not identify with the dominant group in society, their dignity is not supported by fair procedures, and they are less likely to accept disagreeable outcomes. Extrapolating from this, I argue that Hobbes’ advice about ditching justice in our political deliberations is even more important. Appealing to justice or the truth in our political deliberations (“I am right - you are wrong;” “You are racist - I am not,”) likely undermine a person’s honor and dignity could force them to seek alternative separationist identities, based on ethnic, racial or party lines where their self-esteem can be bolstered. This, in turn, could lead to lower support for disagreeable democratic procedures and laws that are perceived as unjust.

Thomas Hobbes responded to hundreds of years of philosophical inquiry into the nature of justice and what constitutes a good life by saying it is not a worthwhile endeavor. He argued that people do not have the capability of reaching a consensus about what constitutes a just government. Moreover, Hobbes argues that without the law, we would constantly be in the state of war of all men against all men, ensuring a brutal and short life for us all. This threat of war and the misery justifies – and legitimates – government and laws. Hobbes shows little, if any, concern about whether the government is just or not, because the law will increase the probability of self-preservation. I do not subscribe to Hobbes' more extreme view that self-preservation is the best we can hope for or that concerns about social justice are invalid. But we might learn from Hobbes that pretending we know what justice is and our political opponents do not is exceptionally counterproductive. My argument is that ditching justice as a part of our political mythology and deliberations, perhaps, can lead to decreased conflict among our fellow citizens with whom we disagree. Instead, we should deliberate in terms of the suffering we see.

The purpose of this paper is to evaluate his causal theories in light of contemporary political psychological research about justice. Hobbes has multiple theories about human nature, but this paper will focus on the following narrow set of propositions: 1) that people primarily see justice through a selfish lens, 2) the perception of justice is tethered to relative expectations, 3) that people perceive that legal institutions and the law are legitimate even when they are not perceived to be “just” according to their own standards.

At first glance, much of Hobbes' theories about human psychology are incorrect. People seem to have no trouble cooperating with one another voluntarily at times. Many have a sense of intrinsic good and would not steal the first chance they got from their neighbor. Some of us trust strangers implicitly, volunteer, give to charity, and are concerned with another's suffering. On

the other hand, we are perhaps unconsciously reassured by formal legal protections, without which we might likely steal and violate informal agreements. Moreover, perhaps those who see themselves as a contribution to society bolsters our honor and dignity because it conforms to our idea of justice.

Relative expectations are important to this discussion because the use of justice in our political mythology may make people more dissatisfied with what they perceive as injustice. The research relating to procedural and institutional legitimacy is important because it shows that people sometimes put up with outcomes and institutions that violate their expectations, increasing the likelihood of political stability because it allows us to put up with political opponents' electoral gains because we believe in the procedures (Tyler, et al. 1997). That this may not be true of people who do not identify as "American," is a stark warning about the potential for polarization and democratic stability (Tyler and Huo 1996). Pretending that we alone have access to the truth about justice and our political opponents do not could lead to polarization, leading to great suffering, particularly if it leads to political instability. Defending political institutions because they are just according to standards that by definition cannot be intersubjective among citizens increases relative expectations from those institutions, which could decrease the legitimacy of the law and political institutions, also potentially upending stability. We may be better off if we follow Hobbes' advice and focus on observing, recounting and preventing the human suffering we see in our political dialogues rather than promoting some unknowable justice. Calling our legal systems, "the justice system" creates expectations that the law will bring about justice, threatening people's sense of honor and dignity when they see an unpreventable injustice in the legal system.

These propositions are examined in light of findings from the last few decades of research in political psychology. The conclusion is that issues about justice and injustice, right and wrong, are profoundly connected to our identity in such a way that it makes it very difficult to reason with others regarding matters of conscience. As Hobbes suggests, we are much more likely to be prone to anger and rage when our political opponents tell us that we are wrong, unjust, or against God than when they recount some human suffering they have observed. For today's political context, accusing someone of being a "racist" according to some unspoken and even less understood standard of justice is much more threatening to their dignity than if they listen to a perspective that people of color or rural whites are experiencing great suffering.

Nevertheless, the mythology of truth and justice in the U.S. political system (and other political systems) is pervasive. We have known since the first book of Plato that true justice (whatever it is) and the law are logically incompatible. Once a jury has made its decision or a plea bargain has been accepted, the truth is mostly irrelevant. The conclusion of this paper is that this myth is at the very least not constructive and at most, potentially insidious to our relationships and institutions, given what we know about our psychological reactions to issues of justice.

Magnanimous justice

In this section, I will review some of the literature that suggests that people are actually not selfish when it comes to evaluating justice. My argument is not at first glance consistent with Hobbes' insistence that we are essentially selfish; indeed, I will use Hobbes' psychological theory about dignity and honor to explain why people are sometimes unselfish when it comes to justice. We cannot forget that we observe all this apparent unselfishness in the context of constitutional democracies that do much better in protecting property, rights and liberties than

Hobbes could have ever imagined. The law allows people to be magnanimous, which then gives them the opportunity to support their view of themselves having dignity and honor.

Much of the research on equity theory suggests that people are surprisingly willing to view outcomes surprisingly unselfishly. One of the most interesting and convincing studies about this is Markovsky (1988), who concludes that people are nearly as unhappy if they are paid more than they think they deserve as they are to be paid less than they think they deserve. Since it would be easy to claim that people are answering in socially acceptable ways, he finds this dissatisfaction indirectly rather than directly. He used a skin conductance measure to show people's emotional arousal responses at the thought of being paid unfairly too low, just right, and unfairly too high. People who were underpaid were very quick to respond emotionally (within two seconds), whereas people who were told that they were going to be overpaid reacted negatively within three seconds. People who were paid what they were told was a fair wage – the advertised wage – had a much more moderate reaction that died down very quickly. Those who were unfairly overpaid had a slightly lower level of negative response than those unfairly underpaid but it took a longer time for their negative reaction to die down. This suggests that perhaps people do not like to violate equity norms, even when the violation of those norms benefits them. These norms are internalized such that they cause subconscious immediate reactions, supporting Hobbes' theory that violations of equity norms threaten our honor and dignity.

In a similar spirit, Greenberg (1988) conducted a study in which there was actually an office organization in which people were reorganized into offices of lower or higher status than their original job would have normally provided. He found that people who were reorganized into higher status offices began to contribute more and work harder than those who were put into

lower status offices. He later found that people who perceived that they were unfairly underpaid were much more likely to steal from the company (1990). Much of this research concludes that norms of social justice are powerful motivators of responses. People do not like violating what they consider to be social norms and are willing to forego material goods to maintain social harmony – and their place in the social organization.

Related to this point is the reaction of some people who experience injustice is to deny it rather than defy it (Major 1994, Martin 1986, Wright, Taylor and Moghaddam 1990). Lower status people like women or gays before their civil rights movements sometimes believed that they deserved this lower social status; injustice is harmful to people's self esteem. This has been one of the most confounding aspects of social justice theory: why do some people whose objective conditions are dire work so hard to deny their lower status? Often, this has to do with articulating the story according to a different type of justice, such as the legitimacy of the institutions or the fairness of the procedures rather than looking at the outcome, which might be on its face considered by most to be unfair. Moreover, people tend to confuse what is with what ought to be (Hochschild 1981, Kluegel and Smith 1986, Major 1994). One possible explanation for this is that people would often rather assume personal responsibility for their lower position in society. This can give people a sense of control over their lives as well as increase their self esteem because perceived victimhood can detract from one's self esteem (Crosby 1984, Taylor, Wright and Porter 1994). The idea, paradoxically, is that the belief that a person's lowered status is legitimate actually works to empower and reinforce that person's self esteem (Martin 1986; Bulman and Wortman 1977, Mikula 1993). The alternative is often moral outrage and depression and can even affect a person's physical health (Abrams 1990, Hafer and Olson 1993).

Thus, much of the contemporary research on social justice is the concentration on people's dissatisfaction with earning or getting more than they think they deserve. Moreover, when people are disadvantaged, they often would rather perceive that they are not disadvantaged than pursue justice. The cornerstones of these theories have to do with how central justice concerns are to one's identity. Generally speaking, people do not seem to enjoy benefits that have the effect of cheating their fellow human beings. Moreover, when they are being harmed, they tend to take it personally and would rather deny its occurrence than accept the consequences to their self-esteem. Thus, people do not seem to be looking around for how they can get the advantage over their fellow human beings, precisely because our dignity and honor necessitates honoring justice commitments.

Political psychology of the law: a pathway to peace and goodwill

These studies seem to indicate that it is not in human nature for people to cheat one another as soon they have the chance because they believe they have the right to everything. So, was Hobbes mistaken? If Hobbes were around to defend himself, he might say that none of these people are in a state of war – all this cooperation, good will, and norms of equity developed in the context of law. Law works to constrain the outer bounds of human animosity; much of human behavior that has the potential to be disruptive is constrained by law.

On the one hand, this proposition is based on the extremes; with no law, we all kill one another and with law, at least some of us have access to self-preservation. However, evidence that the effectiveness and efficiency of law works to induce voluntary cooperative behavior and build social trust may help corroborate Hobbes' claim. Research on the development of social capital might shed light on this problem. For example, Putnam argues that a culture of trust is the determining explanation for why democratic and even economic institutions work smoothly.

He uses the example of Italy to show that in northern Italy, where there is an established culture of high levels of trust, democratic institutions work much better than in southern Italy, where trust levels are low and inefficiency and ineffectiveness of institutions are high.

However, there is some evidence to suggest that this works in the opposite causal direction. McLaren and Baird (2006) find that trust levels in northern Italy were just as low as trust levels in southern Italy after World War II. This means that something happened after the war to inspire the higher levels of trust we find in the 1990s. One suggestion is that it is effective institutions caused the trusting attitudes. Institutions inspired people to overcome collective action problems so that they are so much more likely to participate in voluntary organizations. That people might trust one another and be more likely to help one another in voluntary organizations because institutions work effectively is a corroboration of Hobbes' theory.

One context of that kind of study is in the development of power sharing in national institutions in transitional governments, in particular those with ethnic, racial or linguistic divisions (Sisk 1996, Weingast 1998, Schneckener 2002, Lijphart 2002). Findings tend to center around exactly what Hobbes would expect. If nations establish an agreement to allow each group a partial veto, such as the South African consociational constitution, then the worst outcome is prevented, which then results in relative peace. Weingast (1998) argues that the "balance rule" of allowing two states at a time, one slave and one not, prevented the U.S. Civil War, until the south gave up on the balance rule, which then caused the Civil War. Thus, legal institutions are important for preventing war and promoting trust among citizens.

On the other hand, we are not fully capable of seeing justice in an unbiased way. Despite the belief that people should be rewarded with returns equal to their inputs, they tend to exaggerate their own inputs (Shlenker and Miller 1977 Lerner, et al. 1991). Gergen, Morse and

Bode (1974) show that workers will tend to articulate stories that show that their work is more worthwhile to justify higher paying salaries. People also tend to see themselves as less likely to break procedural agreements (Messick et al. 1985). People who tend to view justice from an egocentric perspective are much less likely to reach an agreement even if the agreement is to the advantage of both parties (Thompson and Loewenstein (1992). Thus, even though people tend to react negatively to being overpaid, they will often articulate stories that justify their increase in salary (Lawler 1968), perhaps saving them from the disgrace of being perceived as violating equity norms.

Moreover, when people perceive themselves to be disadvantaged as individuals, when they see themselves to be part of a disadvantaged group, they are very often mobilized to perceive their disadvantage and to act on this disadvantage. They often seek support from likeminded people. In one study, employees who experienced a perceived injustice perpetrated by management sought one another out to discuss the event, seeking social verification for their feelings (Bies and Tripp 1996). Moreover, in another study, people whose bosses requested something unfair out of them, when they were able to discuss it with one another, were much more likely to seek redress (Gamson 1986). One possible reaction when a group perceives that their concerns will not be addressed by the larger society is to separate into a separatist group (Azzi 1993 Taylor and Moghaddam 1994). Perhaps forming this separate group is the only way to save face; their dignity and honor is then reaffirmed by group members.

Fighting back is often costly and chances of success are not only low but perceived to be low; nevertheless, this occurs often (Klandermans 1989, Muller 1979). Tom Tyler and several colleagues argue that people seek out procedures that they perceive are going to be fair. They argue, “people choose the procedures that they would like to use to resolve their disputes in large

part through assessments of procedural fairness. ...people do not simply choose the procedure they think will allow them to win. They are actually interested in finding a procedure that they think will be fair..." (Tyler et al. 1997, 78; also Ewick and Silbey 1998). Litigation, for example, is costly and yet people pursue it anyway. Much of the psychological work on this subject concludes that people are seeking to voice their dissatisfaction and are not looking simply to win (Tyler et al. 1997; Javeline and Baird 2007). People are willing to consider pursuing justice claims even when pursuing such claims are against their economic self-interest.

Nevertheless, the evidence seems to show that people are protecting their identity or their place in society by honoring their voice rather than their material concerns. Thus, it would be wrong to conclude that people never seek to protect their own economic interests. The question for the next part of the paper is to determine the legal context that promotes or undermines the pursuit of self-interest.

Justice, the Law and Legal Institutions

Are people willing to accept unjust outcomes because they perceive that the process is fair? The resounding answer to this is absolutely. Perhaps the most prominent finding in studies about social justice is the fact that people are willing to care more about procedural justice than the outcome. People's future tendency to follow the law has to do with their evaluations of the way the authorities treated them in the past (Tyler 1990). The impact of whether they got the outcome that they considered fair (presumably the outcome that they favored) was also important but not as important. The idea is that concerns about procedural justice can act as a buffer for a person who is dissatisfied with the outcome. This, Tyler and his colleagues argue, is good for democracy (Tyler, et al 1997). When people do not consider their identity to be "American", their self-interest is much more important (Huo, et al., 1996). Thus, self-interest can be

downplayed if seeming magnanimous is important to one's identity; people might be more likely to respond that way if they identify with the dominant group in society.

Related to this subject is the subject of the legitimacy of institutions. Some of the findings associated with this research is that judicial institutions tend to be much more popular than other more deliberative or democratic institutions (Hibbing and Theiss-Morse 1995). In *Congress as Public Enemy*, they conclude that people do not like democratic procedures; the bargaining and compromise is not seen in the high light that judicial procedures are seen. Casey (1974) suggested that people who identify with the myth of legalism will be much more likely to support judicial institutions; the robes, the secrecy, the language that courts use are all to the courts' advantage in the public eye. The popularity of judicial institutions has been shown in many countries in Eastern and Western Europe; this popularity is documented in many European and Eastern European countries as well (Gibson, Caldeira and Baird 1998).

Support for high courts is conceptualized as "diffuse support" so that it is disconnected to whether people like what the Court has done lately. One of the questions is a Likert (agree/disagree) scale with the following statement: "If the U.S. Supreme Court started making a lot of decisions that most people disagree with, it might be better to do away with the Supreme Court altogether." Most people strongly disagree with this statement, meaning that people would be willing to put up with a Supreme Court that made bad decisions; they are willing to support the legitimacy of the institution in a way that is unrelated to whether they agree with the recent outcomes of that institution. Thus, it is possible for an institution to have legitimacy in the eyes of those who believe that it is acting in a way that they perceive is making bad decisions.

A nice example of this is Gibson and Caldeira's (1992) finding that blacks who were socialized during the period when *Brown v. Board of Education* was handed down (ages 15-25 in

1955) are much more forgiving of the Court's more recent disagreeable policies. Furthermore, Gibson, Caldeira and Spence (2003) found that blacks and Democrats, though sorely disappointed with *Bush v. Gore* in 2000, their support for the Court waned very little and for a short time. Another corroboration of this is the unwillingness of congressional Democrats to support Roosevelt's court packing plan; even directly after his Fireside Chat to pack the Court, support peaked at 30%. Among the public, support peaked to just fewer than 50% (Caldeira 1986). Even when people are suffering because of judicial decisions, as they were during the Great Depression, many are willing to support the institutional integrity of the U.S. Supreme Court.

One of the most important determinants of support for high courts is awareness of the Court itself, corroborating Casey's (1974) claim that people who identify with the legalistic mythology are socialized into supporting the Court. Baird (2001) delves deeper into the origins of this socialization in a comparison of Western and Eastern Germans and their support for the German Federal Constitutional Court. The study was conducted in 1993, just after the reunification of the two countries. Not surprisingly, Western Germans were much more likely to exhibit diffuse support for the Court (measured partially with the Likert scale just mentioned). Baird found that the normative support for legalistic procedures produced high diffuse support among Western Germans, but this effect was much weaker among Eastern Germans. The suggested reason for the disparity is related to the "running tally," a phenomenon noted by many scholars in decades of public opinion work in many different contexts. The idea is that people will hold a running tally in their mind about a particular thing (often political parties, but this work is also central to marketing and product popularity). When they have negative reactions, their running tally is decremented. When they have positive experiences, their running tally

increases. When they are asked about the particular product or political party, they may not be able to remember the details of the events that contributed to their running tally, yet nevertheless, they have access to how much support they have for that product. With most products, the running tally can be both increased and decreased over time, though this impact is mitigated by product loyalty. With courts, people who want the courts to behave legalistically, when courts produce outcomes that they do not like, people are much more likely to be forgiving. Whereas people expect legislatures to produce likeable outcomes, courts are forgiven for producing disagreeable outcomes. Of course, this process takes time and only works for those who want the Court to make decisions legalistically (in this case, people were asked to choose between a preference for the Court following the law or majority will). It is for this reason that this process was not yet found to be working among East Germans. Moreover, corroborative evidence included the evidence that very aware East Germans behaved the same as most West Germans and very unaware West Germans behaved just like East Germans. This has serious implications for judicial power, judicial compliance, and for the ability for courts to protect unpopular minorities. For the purposes of the argument here, however, the important implication is that people adjust their expectations across various circumstances. People's evaluations of outcomes are intimately connected to pre-established expectations.

The next section is focused on its attention to the subject of justice and expectations. The general conclusion is that people become socialized to societal affirmations of dignity and honor; they learn what to expect from members of the society to reaffirm their place in society. This reinforces people's identities and self esteem. Thus, our perception of justice is intricately intertwined in our view of our own place in the world – and our view of others views of our selves. In Rousseau's terms, it is our dependence on one another that is the source of our

inequality. Material possessions, beyond what is necessary to survive, have no meaning outside of their meaning for our social status. Thus, it is our social status that affirms our identity, which is why outcomes are secondary to the relational meaning of justice.

Justice and Relative Expectations

A nice illustration of Hobbes' idea that people care very much about their relative desserts in life is a joke about a genie and a Russian peasant. The genie says to the peasant, "I will grant you any wish, but remember that I will give your neighbor twice what I give you." The peasant thinks for a while and responds, "Poke out one eye." We tend not to base our conceptions of justice, not on our objective conditions but our condition as compared to others. One of the first studies on this concept was conducted in the U.S. armed forces during World War II (Stouffer, et al. 1949). They found that military police officers, who were rarely promoted, were more satisfied than pilots who were promoted much more often. The reason is that the police officers compared themselves to each other; no one was rapidly gaining at their expense. On the other hand, the pilots, even ones who had been promoted, compared themselves to other pilots who were promoted more rapidly and were more dissatisfied.

Even people who are objectively disadvantaged may not perceive themselves as disadvantaged because they compare themselves to other members of their group (Major 1994, Moore 1991). Crosby (1992) for example found that underpaid women were much less likely to perceive that they were being underpaid but were perfectly willing to note that women in general are underpaid compared to their male counterparts, regardless of the objective truth. The opposite can also be true; members of advantaged groups who perceive that they may be losing their advantaged position will also feel dissatisfied, as with whites' attitudes toward affirmative action (Klandermans 1989, Lea, Smith and Tyler 1995). More tellingly, there is also research

that shows that blacks, who might benefit from affirmative action claims, react negatively to the thought of affirmative action because of procedural justice and fear of stigmatization (Slaughter, Bulger and Bachiochi 2005). Their relative social status is more salient than their potential gains.

In fact, groups that perceive an up and coming group with a narrowing gap feel more enraged than those who perceive a widening gap between themselves and a group with higher status (Williams 1975). According to prospect theory, people seem to care more about losses than from lost potential gains. Therefore, the prospect of losing status is more salient than the prospect of gaining status. Regardless of whether status is being gained or lost, the relevant point to make here is that the expected status is what seems to be most important to people in their reactions to justice concerns.

Much of this would have been predicted by many political philosophers who are acutely aware of the importance of our social status for political life. A nice example of this is Thucydides whose foreshadowing is telling because it occurred so long ago. Speaking on behalf of Athenians foreshadowed this finding thousands of years ago: “People, in fact, seem to feel more strongly about their legal wrongs than about the wrongs inflicted on them by violence – because the first is committed against them by an equal and the second by a superior” (1972: 1.77). Thus, what happens is not a measure of how dissatisfied people are with what happened, but rather its social meaning and the implications it has for people’s identity is what is the most important.

Justice and Identity

Much of this research, therefore, leads to the conclusion that justice concerns have to do with people’s perception of their place in society. Justice is related to our perceptions of our own

identity and self esteem (Huo, et al., 1996, Skitka 2004 Lerner 1981, Koper, et al., 1993). People expect to have their identity and their place in society reaffirmed by their treatment by the authorities (Tyler, DeGoey and Smith 1996; Huo, et al., 1996). When procedural norms are violated, this leads to anger and depression (Hafer and Olson 1993; Parker and Kleiner 1966; Walker and Mann 1987). It is suggested that how much the perception of injustice affects people's self esteem is the crucial reason that these violations cause anger and moral outrage (Montada 1994, Shaver, et al., 1987).

A closer look at the specifics of the Huo, et al., 1996 study is only when people do not expect from a particular procedure that the treatment will substantiate their place in society that procedures matter very little. In such cases, the outcome is more important. For example, a study conducted in the context of a work environment found that people who identify with the dominant group in society (called the superordinate group) were much more likely to respond to procedural justice than instrumental concerns such as the outcome (Huo, et al. 1996). So, when asked to evaluate the outcome, people who identified primarily with their ethnic, linguistic or racial subgroup (called separatists) cared much less about the procedural concerns ("Did the boss try to help you?" or "Did the boss treat you politely?"), than outcome concerns (Did you get what you wanted?). It was only people whose identities are connected with the dominant group of society (called assimilators or biculturalists) who cared primarily about the procedural concerns. From this, the authors inferred that procedural justice is connected to our self esteem only when the group in charge of the procedures is a group that is salient for the person's identity. Thus, when a person expects to be treated politely and as though their interests matter, as long as they are treated that way, the outcome matters much less. The authors conclude that while concerns for procedural justice are good for a democracy because even when people are

dissatisfied with an outcome, they will nevertheless believe that the process is legitimate because their worth is being reaffirmed by the respect that authorities show them in the process. (Huo, et al., 1996 and Tyler, et al., 2007) conclude that separationist identities, therefore, could be a threat to the political stability brought about by the connection of the dominant identity to the law.

Justice and Emotions

People's reactions to injustice often have an extremely negative emotional component (Wright et. al 1990; Bies and Tripp 1996). The thing that makes people particularly angry is when they perceive that it is not feasible to do anything about their perceived injustice (Ellemers 1993). The emotional reactions of injustice are related to their comparison of their past experiences and their future expectations (Markus and Nuris 1986). In a study about victims of a severe accident and lottery winners, the results are quite unexpected; the lottery winners were increasingly dissatisfied as time went on and the victims were increasingly satisfied over time (Brickman et al. 1978). In a study on the propensity to litigate, Javeline and Baird (2006) found that victims of the Moscow Theater incident were much more likely to act to sue the Russian government if they were already angry about their disadvantaged position in society.

Anger is exacerbated by people who perceive themselves to be in a lower status than they believe they should be (Johnson, Ford and Kaufman 2000). Anger, then, may lead people to express to their governments their need for representation or redress. Anger, combined with low levels of efficacy on the other hand, may lead to depression, alcoholism and other health problems (Javeline and Brooks 2012; Spence 2010.). While anger may often lead people to collective action, it has other consequences as well, such as making people much less likely to listen to other viewpoints or compromise (MacKuen, et al. 2005).

Conclusion

So, why does this have implications for how we talk to one another? Hobbes hints at this as well. He compares passive understanding to dreaming – we do things like dream that we are Hercules or Alexander, but then when we wake up, we observe the absurdity of our dreams (I.ii, 4:9). We have a passive train of thought, which seem to work on their own, floating from one thought to another. We experience something that makes us angry and our blood temperature rises as if we have no control over it at all. Then he tell us:

“For I believe the most sober men, when they walk alone without care and employment of the mind, would be unwilling the vanity and extravagance of their thoughts that that time should be publicly seen; which is a confession that passions unguided are for the most part mere madness” (I.viii, 24:43).

By this, he means that if we are left to our automatic trains of thought, in which thought after thought flows unguided, we are doomed to madness. Therefore, it is incumbent on us to direct our thoughts, to be aware of our train of thought, to guide it with intention so that our thoughts do not lead us to madness.

So what leads us to madness? Vainglory, pride, “subjecteth a man to anger, the excess whereof is the madness called rage or fury. Then he tells us the effect of this madness: “For what argument of madness can there be greater than to clamour, strike and throw stones at our best friends? Yes, this is somewhat less than such a multitude will do. For they will clamour, fight against, and destroy those by whom all their lifetime before that have been protected and secured from injury” (I.vii, 21:42). Hobbes believes that we are driven to madness for acknowledgment from our peers; we want to be recognized for our accomplishments. When people fail to recognize our status or our worth or they threaten our identity, we are driven to rage that causes us to harm even those people who would protect us.

He does not believe we have the ability to reason clearly given matters of conscience: “men, vehemently in love with their own new opinions (though never so absurd) and obstinately bent to maintain them, gave those their opinions also that revered name of conscience, as if they would have it seem unlawful to change or speak against them; and so pretend to know that are true” (I.vii, 4:36). So, he acknowledges that in matters of justice or right and wrong, we are loathe to be able to see mistakes, even when those mistakes are clearly shown to them to be mistaken. In short, issues of justice make us mad and incapable of reason.

If we acknowledge that, then the anger we necessarily feel when we are wronged, perhaps we can face the problem in what Hobbes call an awake state, rather than in an absurd dream state. We can perhaps face political disagreement knowing that we not fully capable of perceiving the world in a perfectly objective way. Acknowledging this of ourselves, we are more likely to accept our perception of another’s folly. We are then more likely to acknowledge one another’s honor despite disagreement; we can be curious about another’s uniqueness rather than paint them with an undignified broad swath. Just as we follow laws that are unjust and observe democratic outcomes we do not like, we can form and follow rules about deliberations even if we do not perceive that our political opponent deserves it. Following deliberative procedures that honor one another creates a common rather than a separate identity, which furthers the ability of the law to create political stability.

Our objective situation is often more miserable than what can be perpetrated by our fellow human beings. Here we are subject to broken bones, skin rashes, and parasites. Yet none of those things make us as angry as injustice makes us. Injustice wreaks havoc on our self-

esteem and our social status that strikes the very core of our identity. “Sticks and stones can break my bones but words may never hurt me” has it exactly backwards. Harmful words undermine our common identity, which ignite the worst of horrors of violence.

Hobbes believes that since we cannot reason about justice, it has no place in our political systems or deliberations. Human suffering, on the other hand, is something we can observe more objectively. Perhaps we ought to take a closer look at his theory about how to be aware of our own foibles in discussing what constitutes “justice” and that we follow deliberative procedures that do not undermine our dignity when we speak with one another. “But he really is racist/wrong!” is not a justification for violating those procedures, any more than “my party did not win in this election so I do not have to follow the laws passed by this government.”

The conclusion of this paper is not that there is no right and wrong; this is not an argument for moral relativism. The conclusion is that we ought to heed the moral lesson that “passions unguided are for the most part mere madness.” Invoking justice in our political deliberations strengthens our self esteem at the high cost of another’s dignity, making us least likely to be heard. So, while an argument against using justice in our rhetoric might seem to threaten the chances of having the voices of the disadvantaged heard, the argument here is that their voice is least likely to be heard if you use justice in the rhetoric. So, while the rhetoric of justice may be attributed with getting blacks or women the vote, it may be that the violence experienced along the way was a direct consequence of trying to persuade people of their wrongness. That they succeeded may have more to do with human compassion than the persuasiveness of justice concerns.

What I am not arguing is that we should not use it in our personal political growth. Having a moral self requires a sense of right and wrong. Using justice to develop one’s own

political values is of supreme personal value; using justice in conversations with those who disagree with you is of little social value. It makes us incapable of listening and learning from one another and makes political deliberation virtually impossible. The suggestion here is to follow Hobbes's advice and be awake or aware of our weakness and to have some humility in our deliberations with one another.

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