
THOMAS HOBBS' CONCEPT OF SOVEREIGNTY AND ITS RELEVANCE FOR THAILAND AND ASEAN

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ABSTRACT

The paper's objective is to analyze the concept of sovereignty in political philosophy with special reference to Thomas Hobbes for the purpose of understanding the changes facing Thai sovereignty from the origin of the modern state to the present time. Especially relevant is Hobbes' distinction between internal and external sovereignty. Internal sovereignty can be used to understand the factionalism in Thai society resulting to the escalation of tensions since 2005. For the security of state, the Thai military staged a coup and has taken absolute power since 2014. External sovereignty can be used to understand the relation of the Thai state and the power of the ASEAN Community. This can itself be understood as a social contract for the maintenance of security in the same manner that Hobbes describes in state formation. This phenomenon results from the changing international system under globalization.

The Concept of Sovereignty

Hobbes' concept of sovereignty, which is related to his social contract theory, emerged in the 17th century. During this time, the development of the sciences created a separation of the nation state from religious beliefs and fostered a new realm of economic development.

The separation of state from religion meant that the king wielded more power, he became the sole sovereign and did not depend upon the church. Hobbes' concept of sovereignty concerned with the relationship between the state and the populace by the agreement between men to submit their 'individual natural power' to the sovereign, to bring about the security of the society.

The ancient Sophists together with Socrates, Plato and Aristotle understood society from the perspective of nature or convention.¹ Thomas Hobbes was the first philosopher who explained the origin of commonwealth or state in terms of the nature of human beings who constitute the entity of the state. Hobbes argued that the condition of men in the state of nature is insecurity. In the state of nature, each man claims his natural right to do as he thinks fit in order to preserve his own life. This lack of a unifying entity leads to a chaotic situation in which all fight for their own self-interest. So, they must agree to transfer their individual right of governing themselves to a sovereign ruler whose role is to protect them from the state of war characterized by all men fighting against each other. According to Hobbes, the greatest utilization of human power is to compound the power of all men in one person in order to unite the power for the common benefit.² Since the basic nature of men is equal, there is no sure way for any man to protect himself against the threat of others. Hobbes compared the difference between man and others creatures that live in society. He noted that for man there is a necessity for coercive power, whereas this need was not present in the societies of other creatures.³ By nature, men quarrel with each other on the grounds of competition, diffidence, and glory. If men live together without this common power, they are bound by the condition called 'state of war,' in which everyone is against everyone. As long as the natural rights of every man endures, there can be no security to any man. So men have to transfer their rights to a sovereign entity in order to unify their power by means of the social contract.

Locke preferred the concept of 'trust' instead of 'contract.' The words 'trust,' 'compact,' 'agreement' and 'political power,' are more general

than “contract” and avoid being too specific in a legal sense. According to Locke, man in the state of nature is rational, and can never consent to surrender all of their power in a social contract.

Rousseau is another philosopher who explained the concept of ‘Body of politics’ or ‘Commonwealth’ likes Hobbes. For Rousseau, every man has his own strength, but individual strength is not enough for self-preservation. Due to the fact that men cannot generate new strength, they must find a form of association which can unify and control each individual’s strength in order to be sufficient to overcome the obstacles facing them. It is a form of association, where each man obeying individually, establishes an agreement of all men together, and is called a ‘social contract’.⁴ Although through the formation of the social contract, the individual loses his natural freedom and unlimited right to do what he likes, he gains civil freedom and the right of property over his possessions.

Hobbes, Locke, and Rousseau all explained the significance of the social contract, which was the origin of the idea of sovereign power during the 17th to 18th centuries. All of them mention the relationship between the state and its sovereign ruler and the population, consisting of the mass of subjects ruled by the sovereign. In other words, they tried to explain domestic sovereign power. However, they did not go into great detail about the relationship between states, or external sovereign power, which explains matters of war and peace.

The Leviathan

Hobbes developed his concept of sovereignty on principles of natural science after meeting Galileo in the year 1636. Douglas M. Jesseph investigates the influence of Galileo’s natural philosophy on the philosophical and methodological doctrine of Thomas Hobbes. He argued that Hobbes takes away from his encounter with Galileo the fundamental idea that the world is a mechanical system in which everything can be understood in terms of mathematically-specifiable laws of motion.

The title page of *Leviathan*, includes the famous engraving by Abraham Bosse.⁵ Keith Brown argued that it is an image of Oliver Cromwell, or

the future Charles II. Noel Malcolm argued that all the faces which make up the Leviathan's body illustrate the key features of Hobbes' theory.⁶

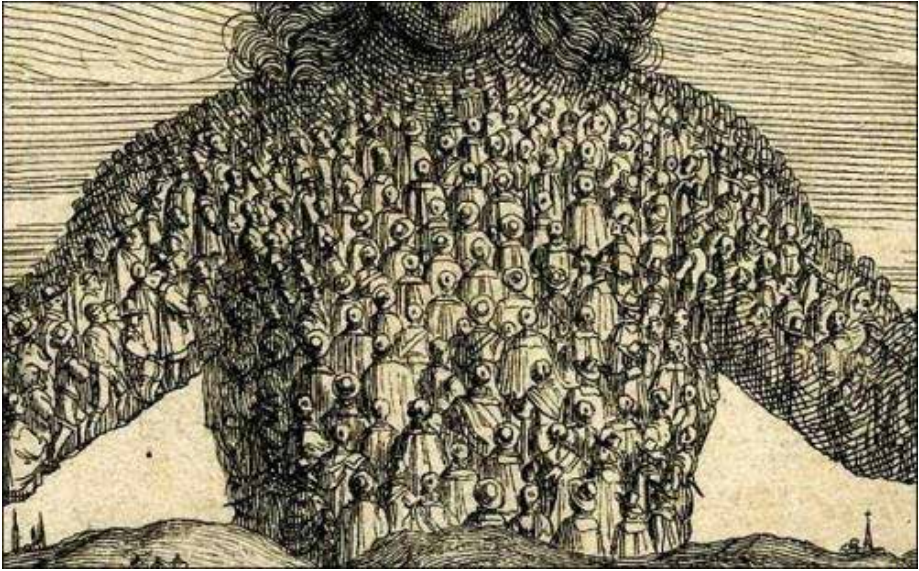


Figure 1

Hobbes explains that the power of state is comprised of individual subjects or the 'Body of Leviathan,' which is also called 'artificial man' or 'body politic'. So in the *Leviathan*, in the first part 'Of Man,' he explains the characteristics of the individual man who is in possession of their own power. Then in the second part, 'Of commonwealth,' he explains the sovereign which gains power through the authorization of each subject.

Hobbes explained the right of the sovereign to make war and peace with other nations and commonwealths. Besides Hobbes, Rousseau also emphasized that social contract is not only about the internal relationship between the sovereign and subject within the state, but it also involves external relationships, such as international law, trade, the law of warfare and conquest, public law, federations, negotiation, treaties etc..⁷ So, both philosophers insisted that state has both internal and external sovereign power.

Hobbes' Concept of Sovereignty

Hobbes' works are also not just theories, but poignant philosophical insights which have remained relevant. During this time, much debate concerning Hobbes has taken place among philosophers and scholars. Some have argued that Hobbes' concept is now outdated, while others claimed that Hobbes' *Leviathan* is arguably the most brilliant and influential political treatise ever written in English.⁸

Some scholars argued that Hobbes' political symbol in his *Leviathan* is a failure. Carl Schmitt has argued that Hobbes' theory of the sovereignty of absolute state has never existed in England. The huge machine of *Leviathan* was always undermined by individual freedom.⁹

Jean Hampton explained the problems with Hobbes' social contract, outdated in relation to contemporary political life. However, she acknowledged that the structures of the modern democratic institutions are too complicated to provide an adequate analysis of them.

David P. Gauthier points out three major problems with Hobbes' concept of absolute sovereignty. Firstly, it would be difficult for such a commonwealth to exist and be preferable to the state of nature. Secondly, it would be impossible men to give to one man or assembly the right and power which Hobbes deems necessary. Finally, such a power would be difficult to exercise. However, Gauthier's view begins with a state of peace, not state of war.

Gregory S. Kavka argues that the Hobbesian theories are limited. He maintains that the scope of argument is overly restricted, oversimplified and ignores relevant complicating factors, and so yields wrong conclusions to relevant questions. Kavka points out that there are no entirely adequate moral-political theories now in existence nor will there be in the foreseeable future, because the phenomena being treated are too complex, the values are too various and the intellectual resources are too limited.¹⁰

On the other hand, A. P. Martinich argued against Gauthier, Kavka, and Hampton, who applied the Prisoner's Dilemma to explicate Hobbes' idea of the state of nature which entails war of all against all. He asserts that in the state of nature the past behavior of each person is likely to be known

to the other people, while the concept of the Prisoner's Dilemma can only be applied in the situation where both parties have never known each other before. For Hobbes, the subject maximizes power by transferring their power to the sovereign in order to preserve their own lives, not to maximize utility like the theory of motivations which modern scholars try bringing to bear on Hobbes' philosophy. According to Martinis, we cannot analyze state level by individual level due to the problem of level analysis.¹¹

Quentin Skinner sees mistakes in the reading of Hampton and other philosophers. He thought that the subject giving up their natural right to the sovereign can be likened to somebody lending something to someone else. That is, if Person A lends something to Person B, the benefit from the thing belongs to Person B. But in sovereign power, if Person B acts on the authorization of Person A to buy something, the benefit still belongs to Person A, not to Person B. The sovereign is only authorized to act in the name of the subject, not for himself or themselves. For instance, in the Thai constitutions, sovereign power belongs to all Thai population, the King exercises power through parliament, cabinet, and court. So, the Thai population maintain power in their own hands.

But if men still agree to unite in society, then Hobbes' concept of sovereignty is still relevant in its explanation of sovereignty. In the past, many scholars have disagreed with Hobbes and tried to find new models, but increasingly, more and more scholars have come to support Hobbes' concept. In fact, there is no single explanation that can completely explain all social and natural phenomena. For this reason, some aspects of Hobbesian philosophy are still relevant, but there is also room for alternate interpretations or complementary concepts.

Hobbes' theory and Social Philosophy

According to Hobbes, science can be divided into natural philosophy and civil philosophy. Natural philosophy is consequences from the accidents of bodies natural; and civil philosophy is consequences from the accidents of political bodies (Leviathan, Ch. IX). In Hobbes time, scientific knowledge was developing in importance beyond religious belief. This

is the reason Hobbes' *Leviathan*, turns to science to understand politics.

Any study of Hobbes's philosophy must pay some attention to his views on scientific method.¹² He saw the human as consisting of bodies and motion, and he believed that the human being is like a desiring machine that can be predicted, and so he believed that the body politic can be understood scientifically. But, in order to utilize Hobbes' philosophy, we need to take a step beyond his and consider that no single theory both natural and social, can explain every phenomenon. For example, Newton's law of universal gravitation, published in 1687, explains only gravitation phenomena. It cannot explain fluid pressure which is explained by Pascal's law.

Social Science is different than natural science, and it encounters many problems which have no correlate to the natural sciences. Karl Popper, explained the difference between natural and social sciences. He pointed out that in physics, a law of nature can apply every '**time and space**'. Sociology can't apply physical or scientific methodology to explain social phenomena due to differences in the way it resists generalization, experimental, complexity, prediction and holism.¹³ Society is based upon man-made laws, not laws of nature.

For Popper, social science can't apply equally in every time and space. For instance, the EU member states were in anarchy after WW II, but now experience a certain order. In 2011 there was anarchy in the Middle-East states; Tunisia, Libya, Syria, Egypt, and Yemen. But in the same year, there was order within the others states in the world. So, the unit in international system is anarchy or hierarchy depends on the time and space. In other words, sovereign powers of state both internal and external are being changed.

In social philosophy, it is very difficult to use the level of analysis approach. Some explanations can apply at the low level; some can apply at the high level. No single theory or concept can explain the integration of power between father and children in the family up to the power between states in the world level. So, if we want to discuss Hobbes' theory at regional level, we have to apply social philosophy, especially methodological

individualism.

There are two different concepts in level of analysis. Max Weber, who saw social object, resulted from human behavior. So, he began his explanations from an individual level, and then worked up to social and institutional level. This is what is meant by “methodological individualism”. On the other hand, Emile Durkheim, worked from external results to the individual. So, he started to study from the social level and social forces, then down to individual level and individual behavior or “methodological collectivism”.¹⁴

Both concepts can relate to arguments regarding Hobbes’ concept of sovereign power. Does the difference between the integration to regional and state? Can we use concept which designed at state level to explain at regional level?

Methodological Individualism

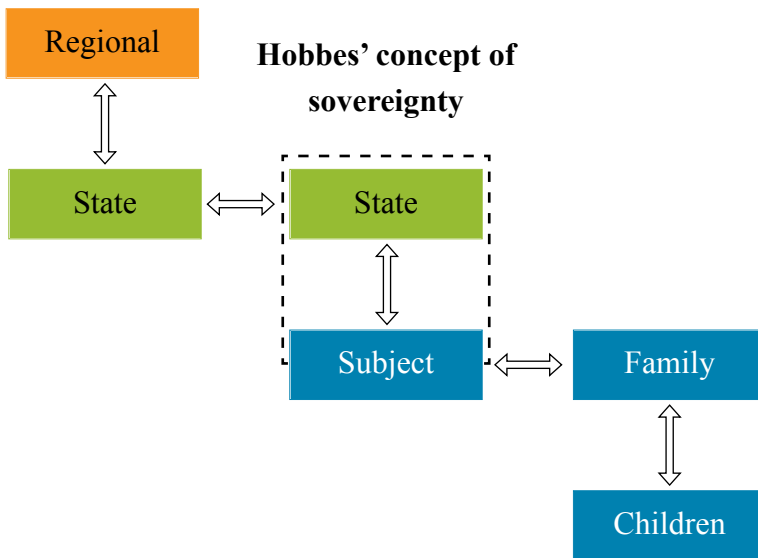


Figure 2

As illustrated in figure 2, Hobbes explained that sovereign power comes from individual power, so we can claim that Hobbes’ concept of

sovereignty is ‘methodological individualism’. By the same analogy, if we consider that a regional power such as ASEAN or the EU comes from each member state, Hobbes’ concept can apply both from the power of subject to the power of state and from the power of state to the power of a regional body.

The power of a father over his children in a family, would be called ‘methodological collectivism’. But, no one would claim that the power of father comes from their children. And the state is comprised of individual subjects, not families. So, we cannot use the relation within family to explain the relation at the regional level. According to Hobbes, the family is not concerned with the political power of state. Rousseau agreed with Hobbes that the relation between father and children is a natural bond, it is not consent. But he argued that this natural bond persists only when the father has the duty of care to the children and the children obey their father. When the children grow up, they all become equally independent. If they want to continue to remain living together, it is no by force of a natural bond, but voluntary, and the family unit is maintained only through ‘convention’.¹⁵ Both Hobbes and Rousseau agree the relation between father and children in the family is a natural bond; it is not consent of the family members. They just show the difference between the source of state and family power. So, we can’t use methodological collectivism to explain the relation between family and children.

Hobbes stated that city or body politic which is one man or one council is called “sovereign” and every member of the body politics is called a “subject” of the sovereign. Sovereignty consists of the power and the strength that every member has transferred to sovereign from themselves by covenant.¹⁶ So, Hobbes’ concept of sovereign is methodological individualism.

Thai Sovereignty and ASEAN Community (External Sovereignty)

The ASEAN Community is comprised of ten member countries. The main purpose of ASEAN is to maintain and enhance peace, security and stability and further strengthen peace-oriented values in the region. During 1970’s, a certain anarchy dominated international theory, a situation

where states as rational actors acted independently. This condition often offhandedly characterized as analogous to Hobbes’s state of nature, a war of all against all. But, it does not explain why states should integrate into a regional body such as ASEAN.

Williams argued that a more adequate understanding of international political theory after Hobbes may require not only a different vision of Hobbes and the Hobbesian legacy, but also a wider re-examination of key assumptions about political modernity as a whole.¹⁷ In this section, I will show that the relations between states in self-help condition is analogous to Hobbes. All states give up their power to integrate into a regional body to provide security and avoid the state of war.

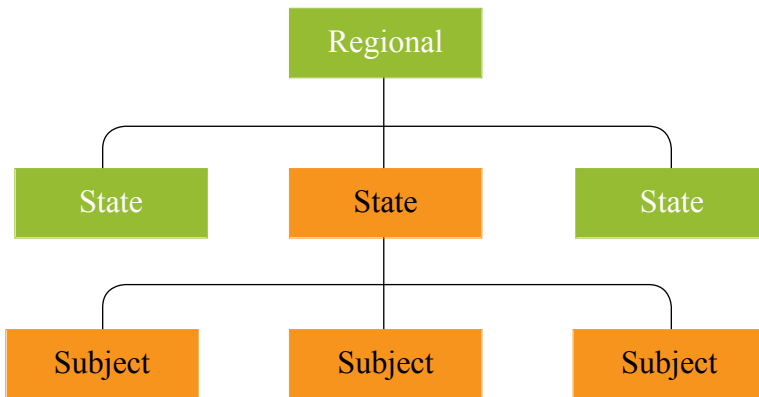


Figure 3

From figure 3, Hobbes stated that every subject gives up their own power to sovereign, that is the reason why the sovereign has power. Then, regional power comes from each state member giving up power to a regional institution such as ASEAN or EU. Regionalism has raised big questions about the continued existence of the sovereign state. The principles of the ASEAN charter are to respect the sovereignty of member states, not to interfere in the internal affairs of ASEAN member states and to base decision-making in ASEAN on consultation and consensus. These principles mean that the ASEAN Community can do anything if

all member states' consent, including restricting the sovereignty of some member states.

The state of war among men before the formation of the commonwealth is the same as state of war between states in the international society. An organization such as ASEAN or EU performs the function of uniting common power in a way that is not different to the unification of individual power by the sovereign in the state. Within the state, men are members of the state society, while in the world; states are members of the world society. In the state, the sovereign has power by consent of every subject.¹⁸ Men give up their own power to the sovereign to use common power in order to get benefits such as security. Likewise, if each state exercises its own power without respect for common international power, then the international society is liable to fall into a state of war.

The comparison between men in the nation state, and state in world society is different only on level of analysis. If the world society lacks an international social contract transferring power to a common entity, the result will again be a state of war. If the state relinquishes some aspects of its sovereign power to an international community entity, then the state loses its sovereign power just like men in the state relinquish their natural power in order to prevent the state of war. The more the state gives up its power to a regional power, the more security is guaranteed, but the less sovereign power the state maintains for itself. Therefore, Hobbes' concept can also be applied to the regionalism phenomena in world society, including Thailand in the case of ASEAN community.

Thai Sovereignty and Political Conflict since 2005 (Internal Sovereignty)

Hobbes, Locke, and Rousseau's idea of the social contract based on the real situation in England and France, when the absolute power of the monarchy was being challenged in the 17th and 18th centuries. During this time, the people were divided into royalist and non-royalist factions. There were also authoritarian leaders such as Cromwell and Napoleon who tried to unite the fragmented social units into one society.

Gradually this situation would change to democracy. But the transition between the end of absolute monarchy to the consolidation of democracy in each country is different.

King Rama V established the Thai modern state in accordance with absolute monarchy where sovereign power belongs solely to the King. After the 1932 revolution, the sovereign power was transferred to all Thai people, but Thai society have mechanisms to deal with this sovereign power. The struggle for power therefore has escalated up to now, no different from England and France in the 17th and 18th centuries. After the end of absolute monarchy in 1932, there were a chain of authoritarian leaders from General Plaek, General Sarit to General Tanom. However, there were restorations of the importance of monarchy again during General Sarit's Government.¹⁹ The political crisis in Thailand since 2005 has been just one part of the development of democracy from absolute sovereignty to consolidation democracy.

In Thailand, Hobbes' concept of sovereignty is useful for understanding the conflict between the Redshirts and Yellowshirts which led to the Military Government. After Thaksin crisis in 2005, both factions didn't trust each other, and tried to eliminate the other by every means. The clashes between Yellowshirts and the government in 2008, Redshirts and soldiers in 2010, and PDRC and PheuThai Government in 2013 proved that the effort to construct a social contract in Thai society is not yet complete.

When the society has no social contract, it has no sovereign power of state. According to Hobbes, it reverts back to the state of nature where people use their own power to protect their rights. Since 2005, the protestors occupied the airports, a shopping center, and a television station. They occupied the parliament and even the Government House. During May 2010, a financial crash extended throughout the country. And since January 2014, the situation has come close to civil war. For Hobbes, war consists not in battle only or the act of fighting, but in a tract of time wherein the 'will to contend by battle is sufficiently known.' So, the situations in Thailand since 2005 can be called a state of war.

During state of war, a conflict among people exists, where every person uses their natural rights and individual powers to protect themselves. Before the state collapsed, General Prayuth staged a military coup in 2014 to provide security and stability in Thai society, the same as Cromwell or Napoleon. After that, General Prayuth has been the only absolute power in Thailand. The challenge of the roadmap to restoration is to make a social contract for every party to agree upon and sign.

Summary

Sovereign power is an important concept of political philosophy which involves two aspects. The first is power within a state between the ruler and populace, or internal sovereignty. The second is power between states or external sovereignty. Hobbes' concept of sovereignty or commonwealth was developed 370 years ago after the Treaties of Westphalia. Commonwealth is social phenomenon or artificial man. So, it can't endure like natural phenomenon. That reason why almost states eventually have their sovereignty challenged both internally and externally.

According to Hobbes' concept of sovereignty, before we know the power of state, we have to know the power of the individual. That is the reason why the first part of the *Leviathan* is characteristic of individual men, and the sovereign's picture in the title page of *Leviathan* consists of people. During Hobbes' time, the anarchical problems occurred at individual level. So, Hobbes explained how to solve this problem in anarchical situation within the state. At the present time, the anarchy within the state has been reduced, but has escalated outside of the state level.

For external sovereignty, the units in the world have been changed continuously along with mankind. Sovereign states or Leviathan are just one type of unit. Before sovereign state, the units were tribe, city state, kingdom, and empire. Hobbes' sovereign state does not come from nature, but it is a man-made or artificial man. That reasons why 370 years later, the units gradually changed from sovereign states to regionalism, such as EU and ASEAN for security purposes. Hobbes's concept of sovereign power explains the integration of the individual within state at that time.

Nowadays, it can be applied to explain the integration of states to regional political units. For instance, the integration of nation states like Thailand into ASEAN.

For internal sovereignty, the long political conflicts in Thailand have been proved that Thai people want to exercise their own natural power. This situation is a state of war which breaks the formation of the state or the artificial man. In order to maintain the survival of state, an absolute sovereign needs to be applied as it was in Europe in the 17th and 18th centuries. The Military Government led by Prime-minister Prayuth since 2014 shows that Hobbes' concept of the social contract and absolute sovereignty is useful in understanding the complex struggles taking place in Thailand.

ENDNOTES

¹ Hobbes, T. *Leviathan*. (New York: Oxford University Press, 1996), 15

² Baker, C. & Pasuk, P. *Thailand: Economics and Politics*. (Chiang Mai: Silkworm, 2546 B.E.), 395

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