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Reason, violence and explanations in social sciences

Paul Dumouchel

Abstract. *Following Hobbes concerning the absence of right reason by nature, I argue that a social and institutional arrangement is necessary for reason to gain the objectivity which permits it to function as an alternative to the violent resolution of conflicts. Construed subjectively as maximizing one's utility function reason fails to constitute a norm of action that distinguishes it from violence. I further inquire into the differences between moral rules, laws and rational prescriptions. A common characteristic of all three is that unlike laws of nature or coded instructions, they should be obeyed, but they can and commonly are transgressed. However, moral rules and laws I argue are less subjective than rational prescriptions because conceptually they necessarily involve relation to others and cannot be reduced to either the subject's relation to the world or to him or herself and analyse how rational and violent solutions to conflicts differ.*

Riassunto. *Seguendo la tesi di Hobbes relativa all'assenza di una ragione giusta per natura, sostengo che è necessario un accordo sociale e istituzionale affinché la ragione acquisisca l'oggettività che le permette di funzionare come alternativa alla risoluzione violenta dei conflitti. Concepita soggettivamente come massimizzazione della propria funzione di utilità, la ragione non riesce a costituire una norma d'azione che la distingua dalla violenza. Mi soffermo inoltre sulle differenze tra regole morali, leggi e prescrizioni razionali. Una caratteristica comune tra queste tre categorie è che, a differenza delle leggi di natura o delle istruzioni codificate, dovrebbero essere rispettate, ma possono essere trasgredite e spesso lo sono. Tuttavia, sostengo che le regole e le leggi morali siano meno soggettive delle prescrizioni razionali perché concettualmente implicano una relazione necessaria con gli altri e non possono essere ridotte alla relazione del soggetto con il mondo né con se stesso e analizzo come differiscono le soluzioni razionali e violente ai conflitti.*

Keywords. Reason, violence, Hobbes, moral rules, authority.

Parole chiave. Ragione, violenza, Hobbes, regole morali, autorità.

Paul Dumouchel is Canadian, until retirement full professor at the Graduate School of Core Ethics and Frontier Sciences, Ritsumeikan University, Kyoto, Japan, where he thought political philosophy and philosophy of science. He is with Jean-Pierre Dupuy co-author of *L'Enfer des choses* (Seuil, 1979) and the author of *Emotions* (Seuil, 1999) *The Ambivalence of Scarcity and Other Essays* (2014) and *The Barren Sacrifice* (2015) both at Michigan State University Press. With Reiko Gotoh he edited *Against Injustice: The New Economics of Amartya Sen* (Cambridge University Press, 2009) and *Social Bonds as Freedom* (Berghahn Books, 2015). His most recent book, with Luisa Damiano, is *Vivre avec les robots* (Seuil, 2016) The English translation *Living with Robots* (Harvard University Press) came out in 2017 and the Italian and Korean translations in 2019. He is presently Associate Professor at the department of philosophy of the Université du Québec à Montréal, Canada.
EMAIL: dumouchel.paul@uqam.ca

Let me start by two quotes, both from Hobbes's *Leviathan* (1651). First,

> For I doubt not, but if it had been a thing contrary to any man's right of dominion, or to the interest of men that have dominion, That the three Angles of a Triangle should be equal to two Angles of a Square; that doctrine should have been if not disputed, yet by the burning of all books of Geometry, suppressed, as far as he whom it concerned was able. (Hobbes 1976, 166)

And the second quote, which is a bit longer.

> And as in Arithmetic unpractised men must, and Professors themselves often err; so also in any other subject of Reasoning, the ablest, most attentive, and most practised men, may deceive themselves and infer false Conclusions; Not but that Reason itself is always Right Reason, as well as Arithmetic is a certain and infallible Art; But no man's Reason, nor the Reason of any one number of men, makes the certainty; no more that an account is therefore well cast up, because a great many men have unanimously approved it. And therefore, as when there is a controversy in an account, the parties must by their own accord, set up for Right Reason, the Reason of some Arbitrator, or Judge, to whose sentence they will both stand, or their controversy must either come to blows, or be undecided, for want of a Right Reason constituted by Nature. (Hobbes 1976, 111)

These two quotes, especially the first one, seem still to be quite relevant. Replace, for example, a basic theorem of geometry with "climate change" and Hobbes's claim will sound much to the point concerning today's debate on the importance of human factors in global warming. However, the second quote indicates that Hobbes is doing more than simply accusing some people of lying or of refusing well established scientific results because this crosses their interests or advantage. According to him the problem runs deeper. It cannot be reduced to the intentions and goals of some groups or individuals. Since «the ablest, the most attentive and practised men may deceive themselves» (Hobbes 1976) and no man, nor any one number of men makes the certainty, for want of a Right Reason constituted by nature. That ultimately is the problem: reason (or science) by nature, which means by itself, does not have the authority, power, means or ability to put an end to a controversy. It cannot produce any statement or conclusion such that everyone will, or even should, agree to its truth. This is what Hobbes is subtly indicating when rather than "any number of men", he writes, "any one number of men". Insisting by that formulation that the problem is not simply that of how many people agree, that numbers do not make truth – an epistemic issue – but that there are others who disagree – which is a political problem. Reason by itself does not have a public authority that allows it to resolve disputes and controversies. These disputes usually are political, in the usual sense of the term, but not only. Controversies that involve mathematicians or accountants are not, in this regard different from, for example, those that oppose American Republicans and Democrats. Because reason by itself is unable to convince others that they are wrong. It is not able to establish with certainty the truth of any statement.

This claim implies – though Hobbes never drew that conclusion explicitly – that reason alone is unable to establish with certainty that I, the subject of knowledge, am right. Though Hobbes never explicitly said that, in his 13th objection to Descartes *Metaphysical Meditations* he comes quite close to saying it. Reacting to the French philosopher's claim in the fourth metaphysical meditation that he could judge that what he conceived clearly and distinctly is true because it produces a great light (*clareté*) in his mind and his will experiences a strong inclination to agree, Hobbes objects. That great light, he says, may be the cause why someone agrees to the truth of a statement, but it does not give him or her any certainty that it is true. Furthermore, agreeing that something is true is not something that depends on our will. It is not something over which we can pretend to have control. Those things that are presented to us with good arguments or that are narrated in a believable way, we believe whether we want to or not. Even though recognising the truth of a statement is an act of the will,[1] it does not follow, says Hobbes, that the internal conviction, that is the great light and the strong inclination to agree, also depends on the will (Hobbes 1953,

[1] Because recognizing that something is true is like making the statement "this is true" and making a statement is an act of the will.

399).[2] We cannot choose what we believe or do not believe. Or, as Jon Elster argued in *Sour Grapes*, you cannot intentionally bring yourself to believe something. In his more technical terms, belief is a state that is essentially a by-product (Elster 1983; see also Dumouchel 2020).

Descartes argues that clear and distinct ideas constitute an infallible sign of the truth of a statement and therefore, all that is necessary to avoid making mistakes and to establish the truth with certainty is the steady will to abide by the discipline of asserting only what one conceives clearly and distinctly. Hobbes responds that this will not work because we cannot do otherwise than to believe what is presented to us with good argument, and that this does not mean that what we believe is true. Internal conviction, which is where all forms of intellectual self-controls ultimately end, does not provide certainty, neither to others, nor to oneself. Once you recognize that reason does not have any public authority, the necessary conclusion of the belief that all men are equal is that it does not have a binding private authority. Yet, reason by itself is always right reason, says Hobbes.

The starting point of the French and the English philosopher is the same: the uncertainty of our knowledge is the problem with which they are confronted. Descartes's strategy is to try to resolve the problem. As he writes at the beginning of his *Discourse of Method* his goal is to establish certainty in the sciences. Hobbes, on the contrary, thinks that the difficulty cannot really be escaped, that the problem cannot properly be solved, the uncertainty cannot be removed entirely. What needs to be done then is to find a way to live with this fundamental uncertainty.[3] And because reason cannot provide a solution since it is itself prey to this difficulty, the way out of the problem is essentially an artifice.

Reason does however seem to have something like a private authority. The problem, as Hobbes sees it, arises precisely from the fact that reason spontaneously seems to have this "private authority" but that this apparent authority does not naturally or spontaneously turn into a public authority. An authority that is recognized by others, and which as such could put an end to disputes and controversies. To put it otherwise, the best that reason alone can do is to privately convince each one, that he or she is right, but it cannot convince others and its failure to do that entails that even for me my conviction cannot, and should not, be a proof of the truth of what I am convinced. However, like Descartes, everyone is convinced that his or her private reason has an authority for her. That is precisely the problem, the reason why, in the absence of a received arbitrator or judge disagreements and conflicts, controversies must either come to blows or remain undecided.

It follows that having a "private authority" is, in fact, having no authority at all. Authority is something that a person has or does not have. That one does have authority is made clear by one's ability to convince others or to bring them to do something (Kojève 2014). Authority is by definition public – a private authority is really an oxymoron. One's reason lacks the ability to bring others to accept her conclusion. Reason, in itself is always Right Reason because it is always the reason of one person or another. That person however by herself has no certain way of knowing if her claim is rational or not, of knowing if the statement she has a strong inclination to accept as true is founded or not. Private reason is subjective, in consequence it is tautologically always Right Reason.

According to Hobbes then, we can never know with certainty if another person is acting rationally or not, nor can we know with certainty if we are acting rationally or not. This uncertainty must be taken seriously because it has consequences on how we can and should explain the behaviour of others. In chapter 13 of *Leviathan* "On the Natural

[2] The difference involved here is also that recognizing the truth of a statement is to some extent a public act, while the inner conviction is not.

[3] On this interpretation of their relation see R. Popkins (1979). *The History of Skepticism from Erasmus to Spinoza*.

Condition of Mankind considering their Felicity, and Misery" Hobbes analyses the causes of the "war of all against all" that is characteristic of the "state of nature". The origin of this generalized conflict lies in men's equality. An equality which should not be conceived as a characteristic of persons – as it commonly falsely is – but as the fact that they can inflict equal, that is final, harm on each other. Equality is a relational property. This equality also proceeds from the fact that in the state of nature each one is governed by his or her own reason and sole judge of what is essential to his or her survival. In consequence everyone has a right to everything. Such a right is thus logically equivalent to saying that agents cannot know for certain if their reasoning is correct or not and neither can the philosopher (that is the external observer). This situation – which is not logically different from that of our two mathematicians or accountants – inevitably leads to conflict for, as says Hobbes, «if two men desire the same thing, which nevertheless they cannot both enjoy, they become Enemies» (Hobbes 1976, 182). However, if the conflict begins accidently – «if two individuals come to desire the same object, they cannot both enjoy» says Hobbes, there is nothing necessary here – it rapidly and necessarily develops into a swelling process of increasing violence. The original conflict leads to the fear that one will become the victim of another's aggression. This brings the agent to pre-empt possible attacks of all potential enemies, until no one is in a position to challenge him. Proud of his victory, the victor becomes sensitive to any sign of disrespect by others and tries through violence to obtain the recognition of his own value. Hobbes concludes that there are three causes of quarrel among men: first, desire or greed, second, fear and finally, pride.

Yet, because in the state of nature the two agents involved in the original conflict are equally justified, since each one is the sole judge of what is necessary to his or her preservation. The origin of the conflict can be just as well describe as a rational need than it can be described as desire. This origin is rational, or at least we have no means to prove that it is not. As for the second moment of this expanding conflict, Hobbes writes, there is no for a man no means to protect himself so reasonable as by anticipation to «master the person of all men he can». The third step follows rationally from the second. As you impose your power over others, it becomes fundamental for you to maintain your reputation and it is rational for you to react with violent force at the slightest sign of disrespect, and, as Hobbes says, to extort a greater value, from those who disrespect you by damage, and from others by the example (see Hobbes 1976, ch. 13; for an analysis Dumouchel 2013).

There is then no difference here between the description of the development of the state of nature into a situation of increasing and generalized violence in terms of passions – greed, fear and pride – or as the result of the rational behaviour of agents in a situation of uncertainty. There is epistemic uncertainty between the two descriptions and explanations. It is impossible to decide which one is true. In a situation where the agents cannot know (with certainty) whether or not others are acting rationally and where they cannot know either whether or not they are acting rationally, from an external observer's point of view, there is no difference between the two explanations. The observer cannot decide which one is correct.

Note that this symmetry exists for the external observer, but it is not present for the agents who are engaged in the conflict. For them there is an important difference between one's knowledge of himself and his knowledge of others. The agent knows that he or she cannot know for sure if the other is acting rationally or not, but the agent does not know that he or she cannot know with certainty if he or she is acting rationally or not. That is to say, like Descartes, the agent is convinced of the rationality of his or her action. It is only for Hobbes, as an external observer, that the epistemic positions of the two agents are symmetrical. It is only for us that the two descriptions are equivalent, not for the agents in the state of nature. For them, to the opposite, they are quite different. That is, each one believes that he or she is right and that the other is wrong.

This epistemic uncertainty is not a mere Hobbesian curiosity, a particularity of his description of the state of nature, which, it will be claimed, is a fictional, hypothetical situation and does not correspond to any real social phenomena. Not so long ago, Ronald Wintrobe proposed a rational analysis of extreme forms of terrorist violence that illustrated the equivalence, in some circumstances, between a rational explanation of behaviour and explanation of that same behaviour in terms of irrational hatred and violence. Of course, demonstrating that equivalence was not Wintrobe's intention, to the opposite he argues that rational choice theory provides the correct explanation of extreme forms of terrorist violence (Wintrobe 2006; Hardin 1995). From his point of view, in situations of social conflicts the most extreme forms of violence should be seen as one option among others that agents may or may not choose depending on the range of available actions. It is a means to an end, and all such violence, including the most terrible massacres and tortures have a rational purpose, for example, to terrify the adversary or to force him to negotiate.

His rational explanation of extreme violence entails however that we, external observer, are unable to make a difference between rational and irrational means of action. It rests on the fact that the choice by the agent of extreme violence as his preferred means to his ends bespeaks of its rationality. That it is the proof or at least a strong indication that it is a rational means of action. As in Hobbes's state of nature, reason is reduced to subjectively purposeful action of whose adequacy the subject ultimately is the sole judge. In such a situation, the external observer can claim that any behaviour is rational, which means that the observer has lost the ability to distinguish between rational and irrational actions. The two descriptions or explanations of extreme violence and terrorism are epistemically equivalent.

Wintrobe himself chooses between them, because he is not a true external observer, or philosopher, in the sense that he does not know that he cannot know for sure if the terrorists he studies are and if he is rational. Hobbes to the opposite is in the paradoxical position where he cannot choose. He recognizes that he cannot know for sure if his action – that is, his description and arguments – are rational or not. That is why at the end of the introduction of *Leviathan* he writes:

> …yet, when I shall have set down my reading orderly, and perpiscuously, the pains left another, will be only to consider if he also find not the same in itself. For this kind of Doctrine, admitteh no other Demonstration. (Hobbes 1976, 83)

Abandoning all authority, Hobbes gives to his reader the authority to decide the value of his text. This means that the problem is not merely epistemic, it also has an ontological dimension. The external observer comes to the conclusion that he cannot choose between the two descriptions in consequence of an inability to distinguish between reason and unreason that is common to us all, thus including him or herself among those who are unable to distinguish. In consequence, the problem is not just that he or she cannot distinguish between them, but that the distinction has disappeared in the sense that it grounds no one's authority. It is unavailable to everyone. Which is another way of saying that the external observer is also in the state of nature. His "externality" is reduced to the fact that, unlike others, as in a Socratic stance, he is aware of it, and this awareness is precisely what deprives him of any claim to be more rational than others. His awareness does not allow him to escape the state of nature. To the opposite, it reminds him that this is where he is.

That is why, Rapaczynski (1987) for example, argued that men in the state of nature stumble upon the contract by accident, because in the state of nature, reason remains impotent. That this is the case is also suggested by the fact that Hobbes, in Chapter 20 of *Leviathan*, argues that commonwealths by acquisition – that is established by force and

violence – are strictly equivalent to commonwealths by generation, those which arise as the result of a voluntary contract.

Hobbes claims that the authority of reason ultimately rests on a particular institutional arrangement. The presence of a sovereign that provides a universal definition of what is right and what is wrong, or rather who enforces it. The definition is universal in two senses at least. First, in that everyone abides by it, or should and second in that it is unique. Because of that it applies to everything, there is no other distinction between what is right and what is wrong that can be enforced. Is central to Hobbes argument that the distinction is enforced, not simply that it is commonly received. It is only when this condition is satisfied that reason can properly escape the private sphere and become publicly recognized as a norm that can guide conduct and that allows us to evaluate behaviours.

I believe that in this analysis and conclusion Hobbes is essentially right. Not, of course, that we need an absolute sovereign. What I think is correct is the idea that the public authority of reason requires certain social and institutional arrangements and that in its absence the public authority of reason disappears. Remember that Hobbes claims that «reason is always right reason», so this social arrangement is not what makes a reasoning right. It has no direct epistemic value. It follows that the sovereign's definition of what is right and what is wrong does not need to be correct. For it does not produce right reason, rather the arrangement constitutes a negative condition. In the absence of such an institutional arrangement the authority of reason remains limited by the fact that its claim to be correct depends on whether «another does not find the same in itself», as Hobbes writes in the introduction. In other words, the authority of reason cannot extend beyond collections of private subjective agreements, all of which never constitute more than «one number of men». In such a situation, judgements of irrationality will tend to be viewed as accusations, but mostly controversies must remain undecided or come to blows.

Hobbes has in many ways a classical conception of reason, understood in a very large sense, as language or logos, according to which it is the opposite of violence. An alternative means of resolving conflicts and controversies. This is a very old tradition that goes at least back to Plato and extends all the way to us. It opposes reason to violence, both at the individual and at the collective levels. This opposition is both normative and cognitive. Not only is it the case that the two terms in this dichotomy do not have the same moral value, they also have very different epistemic values. From the moral point of view, reason is good, it should be cultivated and developed while violence should be avoided and is always prima facia bad, even when it cannot be avoided. Furthermore, from an epistemic point of view, violence is also blind. It tends to obscure agents' judgment and to trap them in no-win situations, while reason is enlightening, a safe guide to wisdom and happiness. That close connection between the nature of rationality and the exercise of violence is of course, very clear in Hobbes's state of nature, where the war of all against all both reflects the absence of a common reason and prevents its emergence.

Nonetheless, for Hobbes, the solution to the problem of private reason's impotence at stopping violence (and worst, its tendency to lead to violence) rests on violence or force. The authority of the sovereign. Therefore, the relation between reason and violence is more complex than a simple opposition or dichotomy. There is between them a strange entanglement where reason is opposed to violence but nonetheless depends on it to some extent in order to truly constitute an alternative to the violent resolution of conflicts. In this also, Hobbes I believe is right. The public authority of reason has something to do with the management of violence among us. For managing violence is what the sovereign does. Through his laws and public order forces he manages conflict within the community. He also manages conflicts outside the community. In both case this management of violence does not take place without violence. The sovereign violently manages violence both inside

and outside the community. He has, in the terms of Max Weber, the monopoly of legitimate violence.

The modern state, according to Max Weber is characterize by the monopoly of the legitimate use of force over a given territory. To hold this monopoly is not simply to be in control of superior means of violence or to be able to impose one's will upon all others. It is not primarily to detain a physical power but a moral authority. The authority to distinguish between the violence that is good, constructive, protective, a violence that is sometimes recommended even and the violence that is bad, that is destructive, murderous, and forbidden. It is also to institute this moral distinction. To make it a reality rather than a mere idea or judgment. Within a society at any time many individuals, groups, various religions and institutions publicly claim the moral authority to distinguish between good and bad violence. For example, religious groups, established codes of morality, traditional customs, or respected individuals who take positions concerning current events. However, in modern nation states and societies only the state can actually perform that distinction. By "perform the distinction" I mean that whatever action the states determines as bad violence, becomes such, it becomes a crime and those acts of violence which the state defines as the legitimate use of force become good violence. To say that the state has not only this moral authority, but its monopoly means that its authority extends to every possible act of violence. The state may allow some groups or institutions that, unlike the army, various police forces, border guards, or courts of justice, are not expressions of its monopoly to determine in some circumstances the distinction between good violence and bad violence, for example the family or educational institutions. It retains nonetheless the power to regulate their ability to make that distinction and to overrule their decisions.

The distinction between good and bad violence which the state operates can of course be challenged. Its content can be discussed and put into question in thoughts and in words, in such cases however the monopoly itself remains unchallenged. It can only be really challenged through an illicit act of violence that, as is typical of terrorism and civil wars, proposes to establish a different demarcation between good and bad violence. Not every act of violence of course is an attempt to formulate in a different way the distinction between good and bad violence. To the opposite, acts of violence normally fall on one or the other side of the received distinction and in the process they re-assert, rather than they challenge, its relevance and decisions. In order to constitute a challenge to the state's moral monopoly the act of violence must gain a moral authority of its own. An act of violence gains a moral authority of its own when it is recognized as good violence by others. That is to say, by persons who did not perpetrate the violence themselves, but find that the action was in some way justified. The violence that was committed then becomes something else than just a crime. Once others identify to some extent with the perpetrators and their action, approving of it, in a sense recognizing it as their own, the violence acquires legitimacy. This agreement confers upon the action a moral authority that challenges the state's moral monopoly of the legitimate use of force. What was a crime becoming perhaps not quite good violence, but it stops being merely bad, criminal violence and turns into a political act.

The opposition between good and bad violence, in a sense, always exists, because it is inscribed in the very structure of any act of violence. The violence that I exert is good, unlike the violence that I suffer, which is bad. However, in this form the opposition cannot constitute a rational distinction because it constantly changes depending on individuals and circumstances. In order to become a rational principle of action it must gain some stability. In order to be able to guide an agent's actions and decisions, the opposition must tell her or him more than the simple distinction between me and the other. It needs to perform a meaningful partition of the world. One which allows individual agents to evaluate their actions not only in relation to themselves. However, since we are dealing here with the actions of agents relative to each other, rather than to given states of affairs, the distinction

must in some way constraint the agents' actions. Otherwise, it will have no take on reality. This it does when it becomes a moral distinction that posits a set of forbidden actions from which agents should refrain. It is because the rule constrains the actions of agents and is not simply a hypothesis about the world that the distinction between good and bad violence can guide people in their choice of action.

A central characteristic of this moral rule, as of any other moral rule and of any law, is that it is always possible to accomplish the actions which it forbids, and that those which it prescribes do not, in consequence of the approval of the rule, become inevitable. A moral rule is neither a law of nature, nor a technological constraint. It does not identify specific features of the material world, and it does not implement an inescapable mechanism. Thus, it can always be transgressed. Because they have the double characteristic that, on the one hand, once instituted they do not simply become another feature of the world, and on the other hand, that they do not correspond to a mere cognitive distinction that leaves the world unchanged, such rules make rational action possible. Once established the moral opposition, unlike the simple cognitive distinction, between good and bad violence provides a non-subjective evaluation of (some aspect of) the world. An evaluation that will often be in contradiction with agents' subjective interests, and which the individual needs to take into account in a specific way, because it is always possible for him or her to transgress that rule. Cognitive hypotheses about the world can be either true or false. If true, they reveal features of the world that either limit the subject's action or may constitute opportunities, affordances. In any case they are constraints to which one must adapt, but they do not in the same way as moral rules force the agent to look at the world from a point of view that is not his or her own.

Reason requires a person to be able to look at the world from a point of view that is not entirely or exclusively subjective. This is clear even, or perhaps especially, when rationality is conceived as maximizing a utility function. Though an agent who is maximizing utility or his or her gain is in a sense acting subjectively, he or she can only act successfully to the extent that his or her outlook is not exclusively subjective. The agent must be able to order his or her goals in a way that is not independent of, but that cannot be reduced to the subjective order of his or her preferences.[4] A person may prefer bananas, to apple, to pears, but when the choice is presented in that way it hides that an immense ceteris paribus clause is necessary in order for this idealized condition to obtain. To succeed in maximizing a utility function the agent must be able to order alternatives in a way that reflects the structure of the world and the interactions between different actions, choices, and decisions. Failure to do that will defeat his or her effort at maximizing utility. Reason requires agents to develop a non-entirely subjective point of view on the world. All such points of view are not necessarily rational in themselves, adopting one nonetheless constitutes a necessary precondition of rationality.[5] Once instituted the moral distinction between good and bad violence provides such a non-subjective point of view that fulfils that essential precondition of rationality.

That, I believe, was essentially Hobbes's point, or if you prefer, what underlies Hobbes's point because he never formulated it in this way. However, not just any moral rule will do. It needs to be universal and further it has to be enforced. Otherwise, it will not have sufficient public authority. As Hobbes writes, «covenants without the sword, are but words, and of no strength to secure a man at all» (Hobbes 1976, 223) because moral rules by

[4] This cannot easily be formulated within economic theory because agents' preferences, if rational, are assumed to reflect that objective order of which he or she has complete knowledge.

[5] For a more detailed explanation of this necessary condition see Hampton (1998) and Dumouchel (2018).

themselves like the recommendations of reasons, do not have a sufficient public authority. Or to put it otherwise, because unless enforced they are not universal in the correct way.

That the recommendations of reason spontaneously have a "private authority", naturally presenting themselves as true and important, but do not have a public authority, that they are not accepted by all as true, makes then, according to Hobbes, somewhat like moral rules.[6] For example, chapters 15 and 16 of *Leviathan* argue that the true doctrine of the laws of nature is true moral philosophy, but that in the absence of a sovereign power these "laws of nature" are not properly laws, but only rational recommendations concerning the behaviours and virtues what bring peace and conservation. For Hobbes, moral rules also have a prima facia authority. They are able to influence individual behaviour, yet notwithstanding this "authority" no one is forced – in the sense of cannot avoid – to comply with them.

We do not need to abide by moral rules and we often do not. Such rules, according to Hobbes, only gain a public authority, become law, when we set up an Arbitrator or Judge who determines what is permissible and what is not, and «to whose sentence we will stand». However, the situation with regard to reason is not quite the same. Unlike moral rules, unlike the distinction between good and bad violence, reason cannot be directly institutionalized. Though some form of institutional arrangement is necessary for reason to gain a public authority. The sovereign cannot determine what is rational and what is not, the way in which he can determine what is legitimate and what is illegitimate violence. The reason why this is so ultimately, I believe, is that reason itself is always right reason. Or to put it in a different way, that the distinction between what is rational and what is not, though it is made public, and in a sense is made possible by an arbitrary distinction between good and bad violence, is not itself arbitrary. That at least is the thesis I would like to defend.

The fact that they can be transgressed, or if you prefer ignored, is a shared characteristic of moral rules, of rational prescriptions, and of civil laws. This characteristic distinguishes them from scientific laws of nature – or from the coded instructions that direct a computer – both which must be obeyed and cannot be escaped. The resemblance between moral rules, rational prescriptions and civil laws goes further. All three should be respected or followed and all three carry punishments (have negative consequences if you prefer) when transgressed. These punishments, especially in the case of moral rules and of the prescriptions of reason, are not always immediate, nor are they automatic. They may in fact never come and when they do arrive, if they do, they are not always recognized as such. Or as Hobbes puts it:

> There is no action of man in this life, that is not the beginning of so long a Chayn of Consequences, as no humane Providence is high enough to give a man a prospect to the end. And in this Chayn, there are linked together both pleasing and unpleasing events; in such a manner, as he that will do anything for his pleasure, must engage himself to suffer all the pains annexed to it; and these pains are the Natural Punishments of those actions, which are the beginning of more Harme than Good (Hobbes 1976, 406-407, about the Natural Punishment of God).

It follows that we can and that we often do cheat with all three. We transgress moral rules, violate laws and ignore rational prescription and we often manage to get away with it. At least for some time, or even forever, if we do not believe in the Supernatural punishments of God.

[6] In fact chapters 15 and 16 of *Leviathan* argue that the true doctrine of the laws of nature is true moral philosophy, but that in the absence of a sovereign power the laws of nature are not properly laws but only recommendations concerning the behaviours or virtues what brings peace and conservation.

There also are at least two important differences between them. One, that was implicit in the above discussion concerning the natural punishments of God, concerns civil laws. Laws attach to their transgression what may be described as "artificial punishments". This is inseparable from the fact that they derive from a public authority. Through these artificial punishments, the relation between a transgression and its consequence is made clearer. The chain that connects them together becomes shorter. Nonetheless, even in this case the relation between transgression and punishment is neither necessary nor automatic. There is room for trials, for aggravating and mitigating circumstances, there are pardons, excuses and many other means of weakening the bond between the law and its sanction. Including running away.

The second difference pertains to two ways in which moral rules are like laws and differ from the prescriptions of reason. The first is that just like the punishment that comes from disobeying a law, the sanction which follows the transgression of moral rules is public. The transgression of moral rules is mostly punished by the public condemnation of the transgressor. A public condemnation that may involve a more or less large number of people and whose consequence can be much harsher than mere reprobation. Even when the punishment would seem to be "natural", as when disease or tragedy is attributed to persons or groups for having committed some moral transgression, what is involved here essentially is a public condemnation that adds to the suffering that comes from the event itself. A suffering that is now interpreted as a clear sign that the sufferer has sinned. For example, in the book of Job, that is precisely how his supposed "friends" react to his misfortune. It is also essentially how natural catastrophes were commonly interpreted throughout classical antiquity, the Middle Ages and more or less until the mid-18th century.[7] The other way in which laws and moral rules differ from rational prescriptions, is that the first two primarily concern our relations with each other. They, of course, also concern our relations with the world, but this they mostly do in view of our relations with each other.

Because of that moral rules are less subjective than rational recommendations. This claim entails a somewhat unusual way of using the "subjective/objective" distinction, so let me explain. Though my usage is unusual, I think that it can be justified and to some extent grounded in our ordinary use of the terms. We usually consider the terms "subjective" and "objective" as epistemic adjectives that qualify the nature and value of different statements or forms of knowledge. For example, one's experiences or feelings are subjective, while science is objective. The basis of this difference is that some knowledge concerns only one individual subject, the person who knows. It is proper to him or her, and therefore subjective, while other knowledge is not limited in that way. It also applies to others and ideally to all. That knowledge is objective. What is subjective in that sense tends to be private and what is objective is public. In consequence what is subjective is less certain because it has the support of only one person, and what is objective is more certain because it potentially has or requires the support of everyone.

My usage stresses, to the opposite, not the epistemic, but the ontological aspect of the distinction. From this point of view, moral rules are more objective (or less subjective) because they immediately entail a relation to other agents. An isolated individual who has no contact whatsoever with anyone else has no need of, nor occasion for moral rules.[8] That however is not the case of rational prescriptions. They neither entail nor require the

[7] For the antiquity, see for example, Plutarch (1885). *On the Delay of the Divine Justice*; for the modern period, S. Neiman (2004). *Evil in Modern Thought an alternative history of philosophy*. Hobbes's concept of the Natural Punishments of God clearly still belongs to that tradition, though it can be secularized in part, by insisting on the relation between an action and its consequence, as I have done above, rather than on divine retribution.

[8] In fact, we only have duties toward ourself in relation to others, either God or other individuals.

presence of others. In fact, since Descartes the paradigmatic way of conceiving rationality imagines an isolated subject of knowledge facing the world. Rationality conceived as the maximization of one's expected utility function is even more subjective, because it does not actually require the world. All that this form of rationality really requires are the agent's preferences (revealed or otherwise) and expected utility.[9] Rationality is thus more subjective because its claims can remain limited to the individual's relation to the world, or even to the individual's relation to him or herself,[10] while rules of morality necessarily irrupt onto the world. They inevitably concern others either as moral agents or as moral patients.

Note that we have not really left our original question. We are still dealing with the same problem: that reason does not have a public authority, and that there is no right reason by nature. Because rationality is characterized by this private, subjective dimension and in consequence unlike moral rules does not inexorably erupt on the public sphere, the distinction between what is rational and what is irrational escapes the power of the sovereign. It remains hidden within the heart or mind of every individual. However, for that very same reason, the individual can never know for sure, neither if his beliefs nor if his actions are rational or not, nor if those of others are or not. For Hobbes, this difficulty cannot be contained within the epistemic domain. Because if reason is unable to assert itself as Right Reason and to put an end to controversies, then there is a sense in which it has left the world. In which it does not exist. The issue has a fundamental ontological aspect.

This way of formulating the problem entails that reason does not only have this subjective dimension, it also has a social and public dimension that is truncated when it fails to impose its authority as Right Reason. What is then this public dimension of reason? By hypothesis, in view of Hobbes's text, the most evident answer would be that reason should constitute an alternative way of ending controversies than violence, than coming to blows. This, as mentioned earlier, is a very ancient and traditional conception of reason. The idea that logos, language or reason constitutes an alternative, and perhaps the alternative to violence as a way of resolving conflicts and disagreements is at least as old as Plato (Dumouchel 2022, 369-376). However, what does this precisely mean? How is reason different from violence in resolving controversies, especially if, as Hobbes argues, in the absence of an accepted judge or arbitrator rational claims become causes and means of rather than obstacles to violence? And if such is the case, why is it reason rather than this arbitrator with his superior force who resolves the problem?

There are two questions here, and I think that we should address them one after the other. The first, is how, in what sense does reason provide to disagreements a form of solutions which are different from violence itself? The second is, what is the role of the sovereign, the arbitrator? How does he make possible a solution which he does not provide directly? The answer to the first question is often plagued by the following doubt.

It is not clear that a rational, or rationally debated solution to a disagreement is without violence, since claiming that something is real, rational or a fact often functions as a discussion stopper. As a way of forcing the adversary of accepting your position. Understood in this way, a rational solution is just a reflection of existing power relations and is just as violent as coming to blows.

That objection indicates in a way where the solution lies. As argued earlier a pre-condition of reason is for an agent to recognize that there is an order of the world – that is a

[9] Of course, technically this works well, and as Hobbes said, there is no doubt that "Arithmetic is a certain and infallible Art". However, from the point of view of ontology this concept of rationally is radically subjective because it barely alludes to the world and essentially constitutes a relation between the subject and his own representations.

[10] This is in fact implicit in Descartes's conception where rationality ultimately boils down to the individual's discipline of only accepting clear and distinct ideas, when, as we usually do, we overlook the subject's relation to God which for Descartes was essential.

system of relations between objects, between causes and consequences – that is independent of his or her preference and that should be taken into account in order to attain one's goal or objective. Call this "order" reality or the real. In consequence, reason has a subjective dimension. It concerns the agent, because the discovery of the real, its force in asserting itself as such, is linked to the agent's search to satisfy his or her desire. It also has an objective dimension, because this reality offers itself as a set of obstacles and opportunities, affordances, that for the most part are not in the agent's power.

The real provides a stable ground on which the agent can built projects, instruments, tools and machines to reach his or her objective. To put it otherwise, a rational solution already in the case of an individual isolated agent requires him or her to take into account the objective structure of the world which constrains his or her order of preferences. The discrepancy between the agent's preferences and the real forces him or her to choose, and through these choices the agent elaborates and formulates a conception of the good. The real in relation to the agent's preferences and objectives defines the problem and provides the basis on which to develop a solution.

Violence as a solution aims at transforming the problem's conditions by obliterating some of them and without modifying the agent's preferences.[11] That is to say, as a solution, it consists in making the problem disappear by changing the world. The Nazi's Final Solution is the most extreme example of that, but there is a sense in which violence is always a final solution. A way of making questions stop, of making obstacles and rivals disappear, of forcing others to leave, of resolving the problem without taking into account the conditions that determine it. While rationality consists in taking into account the conditions that determine the problem, elaborating a solution on their basis, violence to the opposite negates them.[12]

A rational solution to a conflict, controversy or disagreement requires then that the two parties take into account the conditions that define it and consider them as constraints on their preferences. It requires that they do here the same thing which they do when individually facing the world. However, the action of other agents is one of the most unpredictable aspect of the world. And violence offers itself as a temptation to simplify the problem. What the sovereign does by separating legitimate from illegitimate violence is to reduce the uncertainty of situations of conflicts. This allows and incites agents to find rational solutions.

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[11] Violence is not of course always a solution to anything at all, that is why the above should not be seen as a definition of violence.

[12] There is in consequence some resemblance between violence and normative expectations. Expectations that, contrary to cognitive expectations, we do not abandon when they clash with reality but tend to change the world to make it fit the expectation rather than the other way around. It is however impossible in this context to analyse this resemblance.

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