

ILCR/CMEMLL Reading Group: 'Interpreting Literature, Law, and Constitution' (ii)

Warren's argument: By focusing on Thomas Hobbes' (1588-1679) translation of Thucydides' *History of the Peloponnesian War* we can understand Hobbes "as a kind of historian of the law of nations" (p.130). Previous scholarship on Hobbes, and particularly on Hobbes' place within the history of International relations, has neglected his translation of Thucydides precisely because this text has been understood as a 'translation'. If we elevate 'translation' to the status of 'literature' (as historical writing was understood in the seventeenth century) then an analysis of Hobbes' translation of Thucydides becomes an analysis of Hobbes' ideas on constitutionalism, imperialism and international law.

(i). Did Hobbes simply translate Thucydides (c.460-400BCE) from Greek into English?

Passage 1. Hobbes, translation of Thucydides' *History of the Peloponnesian War*, preface 'To the Readers':

"It hath been noted by divers, that Homer in poesy, Aristotle in philosophy, Demosthenes in eloquence, and others of the ancients in other knowledge, do still maintain their primacy: none of them exceeded, some not approached, by any in these later ages. And in the number of these is justly ranked also our Thucydides; a workman no less perfect in his work, than any of the former; and in whom (I believe with many others) the faculty of writing history is at the highest. For the principal and proper work of history being to instruct and enable men, by the knowledge of actions past, to bear themselves prudently in the present and providently towards the future: there is not extant any other (merely human) that doth more naturally and fully perform it, than this of my author."

(ii). Understanding translation as 'literature': Thucydides for an early modern audience?

Passage 2. Hobbes, translation of Thucydides' *History of the Peloponnesian War*, preface 'To the Readers':

"... Thucydides is one, who, though he never digress to read a lecture, moral or political, upon his own text, nor enter into men's hearts further than the acts themselves evidently guide him: is yet accounted the most politic historiographer that ever writ. The reason whereof I take to be this. He filleth his narrations with that choice of matter, and ordereth them with that judgment, and with such perspicuity and efficacy expresseth himself, that, as Plutarch saith, he maketh his auditor a spectator. For he setteth his reader in the assemblies of the people and in the senate, at their debating; in the streets, at their seditions; and in the field, at their battles. So that look how much a man of understanding might have added to his experience, if he had then lived a beholder of their proceedings, and familiar with the men and business of the time: so much almost may he profit now, by attentive reading of the same here written."

Warren's argument on context and 'literature as law' (p.135ff):

- Hobbes was directly engaging in a contemporary international controversy surrounding the 'tragedy of Amboyna' (p.135ff) through his translation of Thucydides (thus getting around a proclamation made by the English Attorney General in 1628, banning anti-Dutch pamphlets)
- Thucydides was "speaking normatively to the present" (p.144). Hence literature - history - becomes law: "For Hobbes, the role of the translator was a way to create and determine international justice under the presumption of passively transmitting and declaring something found" (p.145).

(iii). What might Hobbes have learnt from Thucydides' account of the Mytilenian debate (*History*, 3.26-49)?

Passage 3: The Stassler 'Landmark Thucydides' translation (1996) of Diodotus' speech to the Athenian assembly:

3.44. However, I have not come forward either to oppose or to accuse in the matter of Mytilene; indeed, the question before us as sensible men is not their guilt, but our interests. Though I prove them ever so guilty, I shall not, therefore, advise their death, unless it be expedient; nor though they should have claims to indulgence, shall I recommend it, unless it be clearly for the good of the country. I consider that we are deliberating for the future more than for the present; and where Cleon is so positive as to the useful deterrent effects that will follow from making rebellion a capital offence, I who consider the interests of the future quite as much as he, as positively maintain the contrary. And I require you not to reject my useful considerations for his specious ones; his speech may have the attraction of seeming the more just in your present temper against Mytilene; but we are not in a court of justice, but in a political assembly; and the question is not justice, but how to make the Mytilenians useful to Athens." ... 3.45 [Death penalty is no deterrent] "... In short, it is impossible to prevent, and only great simplicity can hope to prevent, human nature doing what it has once set its mind upon, by force of law or by any other deterrent whatsoever."

Passage 4: Hobbes' translation of Diodotus' speech to the Athenian assembly (following Cleon's speech):

3.44. "For my own part, I stood not forth with any purpose of contradiction in the business of the Mytilenaeans, nor to accuse any man. For we contend not now, if we be wise, about the injury done by them, but about the wisest counsel for ourselves. For how great soever be their fault, yet I would never advise to have them put to death, unless it be for our profit; [Hobbes here inserts "nor yet would I pardon them"] though they be pardonable, unless it be good for the commonwealth. And in my opinion, our deliberation now is of the future, rather than of the present. And whereas Cleon contendeth, that it will be profitable for the future to put them to death, in that it will keep the rest from rebelling: I contending likewise for the future, affirm the contrary. And I desire you not to reject the profit of my advice for the fair pretexts of his; which agreeing more with your present anger against the Mytilenaeans, may quickly perhaps win your consent. We plead not judicially with the Mytilenaeans so as to need arguments of equity, but we consult of them, which way we may serve ourselves of them to our most advantage hereafter."... 3.45 [Death penalty is no deterrent] "... In a word, it is a thing impossible, and of great simplicity to believe, when human nature is earnestly bent to do a thing, that by force of law or any other danger it can be diverted."

(iv). Can Thucydides help us to unravel 'the peculiar nature' of Hobbes' thought on natural law and the law of nations?

Passage 5: Hobbes, *Leviathan* 13 (quoted from Malcolm, 2002):

"Concerning the offices of one Sovereign to another, which are comprehended in that Law, which is commonly called the Law of Nations, I need not say any thing in this place; because the Law of Nations and the Law of Nature, is the same thing. And every Sovereign hath the same Right, in procuring the safety of his People, that any particular man can have, in procuring his own safety. And the same Law, that dictateth to men that have no Civil Government, what they ought to do, and what to avoid in regard of one another, dictateth the same to Common-wealths, that is to the Consciences of Sovereign Princes, and Sovereign Assemblies: there being no court of Naturall Justice, but in the Conscience onely; where not Man, but God raigneth; whose Lawes (such of them as oblige all Mankind,) in respect of God, as he is the Author of Nature, are Natural...."