

# From Thomas Hobbes, *Leviathan* (1651)

Modern History Sourcebook: <http://www.fordham.edu/halsall/mod/hobbes-lev13.html>

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**NOTE:** *These excerpts from Leviathan have been paraphrased in order to make the text more readable. Hobbes wrote in Elizabethan English, so his original text reads like Shakespeare or the King James Bible. I have attempted to make the text more readable while preserving Hobbes' message. If you would prefer to read the original text, you may do so by clicking the link above.*

## CHAPTER XIII:

### OF THE NATURAL CONDITION OF MANKIND AS CONCERNING THEIR FELICITY AND MISERY

NATURE has made men so equal in the talents of body and mind that, though one man is sometimes manifestly stronger in body or of quicker mind than another, yet when all is reckoned together the difference between men is not so considerable as that one man can thereupon claim to himself any benefit to which another may not also claim. For as to the strength of body, the weakest has strength enough to kill the strongest, either by secret machination or by confederacy with others that are in the same danger with himself....

From this equality of ability arise the quality of hope in the attaining of our ends. And therefore if any two men desire the same thing, which they cannot both enjoy, they become enemies; and in the way to their goal, they endeavor to destroy or subdue one another. And from this, it comes to pass that where an invader has no more to fear than another man's single power, if one plant, sow, build, or possess a convenient seat, others may probably be expected to come prepared with forces united to dispossess and deprive him, not only of the **fruit of his labor**, but also of his **life** or **liberty**. And the invader again is in the like danger of another....

Men have no pleasure (but on the contrary a great deal of grief) in keeping company where there is no power able to overawe them all. For every man wants others to value him to the same extent that he values himself, and upon all signs of contempt or undervaluing, he naturally endeavors, as far as he dares, to do damage to those who hold him in contempt, in hopes that others will see the example and fear him.

**So that in the nature of man, we find three principal causes of quarrel: First, competition; secondly, fear;<sup>1</sup> thirdly, glory.**

The first makes men invade for gain; the second, for safety; and the third, for reputation. The first use violence, to make themselves masters of other men's persons, wives, children, and cattle; the second, to defend them; the third, for trifles, as a word, a smile, a different opinion, and any other sign of undervalue, either direct in their persons or by reflection in their kindred, their friends, their nation, their profession, or their name.

**Hereby it is manifest that during the time men live without a common power to keep them all in awe, they are in that condition which is called war; and such a war as is of every man against every man...** the nature of war consists not in actual fighting, but in the known disposition thereto during all the time there is no assurance to the contrary. All other time is peace.

Whatsoever therefore is consequent to a time of war, where every man is enemy to every man, the same is consequent to the time wherein men live without other security than what their own strength and their own invention shall furnish them withal. In such condition there is no place for industry, because the fruit thereof is uncertain: and consequently no culture of the earth... no arts;

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<sup>1</sup> Hobbes uses "diffidence," which can mean fear and/or mistrust. If someone is described as diffident today, it usually means that someone is shy or hesitant

no letters; no society; and which is worst of all, continual fear, and danger of violent death; and **the life of man, solitary, poor, nasty, brutish, and short.**

It may seem strange to some man that has not well weighed these things that Nature should thus dissociate and render men apt to invade and destroy one another: and he may therefore, not trusting to this inference, made from the passions, desire perhaps to have the same confirmed by experience. Let him therefore consider with himself: when taking a journey, he arms himself and seeks to go well accompanied; when going to sleep, he locks his doors; when even in his house he locks his chests; and this when he knows there be laws and public officers, armed, to revenge all injuries shall be done him; what opinion he has of his fellow subjects, when he rides armed; of his fellow citizens, when he locks his doors; and of his children, and servants, when he locks his chests. Does he not there as much accuse mankind by his actions as I do by my words? But neither of us accuse man's nature in it. The desires, and other passions of man, are in themselves no sin. No more are the actions that proceed from those passions till they know a law that forbids them; which till laws be made they cannot know, nor can any law be made till they have agreed upon the person that shall make it....

To this war of every man against every man, this also is consequent; that nothing can be unjust. The notions of right and wrong, justice and injustice, have there no place. Where there is no common power, there is no law; where no law, no injustice. Force and fraud are in war the two cardinal virtues. Justice and injustice are none of the faculties neither of the body nor mind. If they were, they might be in a man that were alone in the world, as well as his senses and passions. They are qualities that relate to men in society, not in solitude. It is consequent also to the same condition that there be no propriety, no dominion, no mine and thine distinct; but only that to be every man's that he can get, and for so long as he can keep it. And thus much for the ill condition which man by mere nature is actually placed in; though with a possibility to come out of it, consisting partly in the passions, partly in his reason.

The passions that incline men to peace are: fear of death, desire for a comfortable life, and the hope of attaining a comfortable life by hard work. And reason suggests convenient articles of peace upon which men may be drawn to agreement. These articles are also known as the laws of nature, where of I shall speak more particularly in the two following chapters.

## **CHAPTER XIV**

### **OF THE FIRST AND SECOND NATURAL LAWS, AND OF CONTRACTS**

THE **right of nature**, which writers commonly call *jus naturale*, is the liberty each man has to use his own power as he wills himself for the preservation of his own life; and consequently, of doing anything which, in his own judgment and reason, he shall conceive to be means by which to preserve it.

By liberty is understood, according to the proper signification of the word, the absence of external impediments; which impediments may oft take away part of a man's power to do what he would, but cannot hinder him from using the power left him according as his judgment and reason shall dictate to him.

A **law of nature**, *lex naturalis*, is a precept, or general rule, found out by reason, by which a man is forbidden to do anything that would destroy his life, or take away his means of preserving it, or to neglect to do something that he thinks is necessary to preserve it...

And because the condition of man... is a condition of war of every one against everyone, in which case everyone is governed by his own reason, and there is nothing he can make use of that may not be a help unto him in preserving his life against his enemies; it follows that in such a condition every man has a right to everything, even to one another's body. And therefore, as long as this natural right of every man to everything endures, there can be no guarantee that any man, however strong

or wise he may be, will live a full life. And consequently it is a precept, or general rule of reason: that every man ought to seek peace, as far as he has hope of obtaining it; and when he cannot obtain it, that he may seek and use all helps and advantages of war. The first branch of which rule contains the first and fundamental law of nature, which is: to seek peace and follow it. The second, the sum of the right of nature, which is: by all means we can to defend ourselves.

From this fundamental law of nature, by which men are commanded to seek peace, is derived this second law: that a man be willing, when others are also willing, as far as is necessary for his peace and self-defense, to lay down this right to all things; and be contented with so much liberty against other men as he would allow other men against himself. For as long as every man holds the right to do anything he wants, all men in the condition of war. But if other men are not willing to join him in laying down their rights, then there is no reason for anyone to give up his own rights, for that were to expose himself to harm, which no man is bound to, rather than to dispose himself to peace. This is that law of the gospel, "Do unto others as you would have them do unto you." And that law of all men, "What you would not wish done to yourself, don't do to another."<sup>2</sup> ....

A right is laid aside, either by simply renouncing it, or by transferring it to another. Someone simply renounces a right when he doesn't benefit from it and doesn't care who exercises it. When he transfers a right, he intends for a certain person or group to benefit from it. Once a man has abandoned a right by renouncing it or transferring it to another, then he is obligated not to hinder those to whom such right is granted, or abandoned, from the benefit of it, and by duty, he ought not to make void his own voluntary act. He has no right to hinder another from exercising the rights he has renounced or transferred... These are the bonds by which men are bound and obligated: bonds that have their strength, not from their own nature (for nothing is more easily broken than a man's word), but from fear of some evil consequence upon the rupture.

Whenever a man transfers his rights, or renounces them, he does so believing that he will receive other rights or some other benefit in return. For it is a voluntary act: and every man who acts voluntarily seeks something good for himself. And therefore there be some rights which no man can be understood by any words, or other signs, to have abandoned or transferred... And lastly, the reason that someone renounces or transfers their rights is to maintain the security of one's person, in his life, and to improve one's quality of life...

The mutual transferring of right is that which men call contract.

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<sup>2</sup> For the latter phrase, Hobbes used the Latin, "quod tibi fieri non vis, alteri ne feceris." This variation of the Golden Rule is most often attributed to Confucius, although several ancient philosophers have made similar statements.

# From John Locke, *Second Treatise on Civil Government* (1689)

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Source: <http://orias.berkeley.edu/summer2004/Final%20Drafts/locke.pdf>

## CHAP. II.: Of the State of Nature.

Sec. 6. . . . The state of nature has a law of nature to govern it, which obliges every one: and reason, which is that law, teaches all mankind, who will but consult it, that being all equal and independent, no one ought to harm another in his life, health, liberty, or possessions: for men being all the workmanship of one omnipotent, and infinitely wise maker; all the servants of one sovereign master, sent into the world by his order, and about his business; they are his property, whose workmanship they are, made to last during his, not one another's pleasure: and being furnished with like faculties, sharing all in one community of nature, there cannot be supposed any such subordination among us, that may authorize us to destroy one another, as if we were made for one another's uses, as the inferior ranks of creatures are for our's. Every one, as he is bound to preserve himself, and not to quit his station wilfully, so by the like reason, when his own preservation comes not in competition, ought he, as much as he can, to preserve the rest of mankind, and may not, unless it be to do justice on an offender, take away, or impair the life, or what tends to the preservation of the life, the liberty, health, limb, or goods of another.

Sec. 8. . . . In transgressing the law of nature, the offender declares himself to live by another rule than that of reason and common equity, which is that measure God has set to the actions of men, for their mutual security; and so he becomes dangerous to mankind, the tye, which is to secure them from injury and violence, being slighted and broken by him. Which being a trespass against the whole species, and the peace and safety of it, provided for by the law of nature, every man upon this score, by the right he hath to preserve mankind in general, may restrain, or where it is necessary, destroy things noxious to them, and so may bring such evil on any one, who hath transgressed that law, as may make him repent the doing of it, and thereby deter him, and by his example others, from doing the like mischief. And in the case, and upon this ground, EVERY MAN HATH A RIGHT TO PUNISH THE OFFENDER, AND BE EXECUTIONER OF THE LAW OF NATURE.

## CHAP. IX. : Of the Ends of Political Society and Government.

Sec. 123. IF man in the state of nature be so free, as has been said; if he be absolute lord of his own person and possessions, equal to the greatest, and subject to no body, why will he part with his freedom? why will he give up this empire, and subject himself to the dominion and controul of any other power? To which it is obvious to answer, that though in the state of nature he hath such a right, yet the enjoyment of it is very uncertain, and constantly exposed to the invasion of others: for all being kings as much as he, every man his equal, and the greater part no strict observers of equity and justice, the enjoyment of the property he has in this state is very unsafe, very unsecure. This makes him willing to quit a condition, which, however free, is full of fears and continual dangers: and it is not without reason, that he seeks out, and is willing to join in society with others, who are already united, or have a mind to unite, for the mutual preservation of their lives, liberties and estates, which I call by the general name, property.

Sec. 124. The great and chief end, therefore, of men's uniting into commonwealths, and putting themselves under government, is the preservation of their property. To which in the state of nature there are many things wanting. First, There wants an established, settled, known law, received and allowed by common consent to be the standard of right and wrong, and the common measure to decide all controversies between them: for though the law of nature be plain and intelligible to all rational creatures; yet men being biassed by their interest, as well as ignorant for want of study of it, are not apt to allow of it as a law binding to them in the application of it to their particular cases.

Sec. 125. Secondly, In the state of nature there wants a known and indifferent judge, with authority to determine all differences according to the established law: for every one in that state being both judge and executioner of the law of nature, men being partial to themselves, passion and revenge is very apt to carry them too far, and with too much heat, in their own cases; as well as negligence, and unconcernedness, to make them too remiss in other men's.

Sec. 126. Thirdly, In the state of nature there often wants power to back and support the sentence when right, and to give it due execution, They who by any injustice offended, will seldom fail, where they are able, by force to make good their injustice; such resistance many times makes the punishment dangerous, and frequently destructive, to those who attempt it.

Sec. 131. But though men, when they enter into society, give up the equality, liberty, and executive power they had in the state of nature, into the hands of the society, to be so far disposed of by the legislative, as the good of the society shall require; yet it being only with an intention in every one the better to preserve himself, his liberty and property; (for no rational creature can be supposed to change his condition with an intention to be worse) the power of the society, or legislative constituted by them, can never be supposed to extend farther, than the common good; but is obliged to secure every one's property, by providing against those three defects above mentioned, that made the state of nature so unsafe and uneasy. And so whoever has the legislative or supreme power of any common-wealth, is bound to govern by established standing laws, promulgated and known to the people, and not by extemporary decrees; by indifferent and upright judges, who are to decide controversies by those laws; and to employ the force of the community at home, only in the execution of such laws, or abroad to prevent or redress foreign injuries, and secure the community from inroads and invasion. And all this to be directed to no other end, but the peace, safety, and public good of the people.

#### **CHAP. XI. : Of the Extent of the Legislative Power.**

Sec. 134. THE great end of men's entering into society, being the enjoyment of their properties in peace and safety, and the great instrument and means of that being the laws established in that society; the first and fundamental positive law of all commonwealths is the establishing of the legislative power; as the first and fundamental natural law, which is to govern even the legislative itself, is the preservation of the society, and (as far as will consist with the public good) of every person in it. This legislative is not only the supreme power of the common-wealth, but sacred and unalterable in the hands where the community have once placed it; nor can any edict of any body else, in what form soever conceived, or by what power soever backed, have the force and obligation of a law, which has not its sanction from that legislative which the public has chosen and appointed: for without this the law could not have that, which is absolutely necessary to its being a law,\* the consent of the society, over whom no body can have a power to make laws, but by their own consent, and by authority received from them; and therefore all the obedience, which by the most solemn ties any one can be obliged to pay, ultimately terminates in this supreme power, and is directed by those laws which it enacts: nor can any oaths to any foreign power whatsoever, or any domestic subordinate power, discharge any member of the society from his obedience to the legislative, acting pursuant to their trust; nor oblige him to any obedience contrary to the laws so enacted, or farther than they do allow; it being ridiculous to imagine one can be tied ultimately to obey any power in the society, which is not the supreme.

Sec. 135.: . . . The obligations of the law of nature cease not in society, but only in many cases are drawn closer, and have by human laws known penalties annexed to them, to inforce their observation. Thus the law of nature stands as an eternal rule to all men, legislators as well as others. The rules that they make for other men's actions, must, as well as their own and other men's actions, be conformable to the law of nature, i.e. to the will of God, of which that is a declaration, and the fundamental law of nature being the preservation of mankind, no human sanction can be good, or valid against it.

Sec. 137.: for all the power the government has, being only for the good of the society, as it ought not to be arbitrary and at pleasure, so it ought to be exercised by established and promulgated laws; that both the people may know their duty, and be safe and secure within the limits of the law; and the rulers too kept within their bounds, and not be tempted, by the power they have in their hands, to employ it to such purposes, and by such measures, as they would not have known, and own not willingly.

Sec. 138. Thirdly, The supreme power cannot take from any man any part of his property without his own consent: for the preservation of property being the end of government, and that for which men enter into society, it necessarily supposes and requires, that the people should have property, without which they must be supposed to lose that, by entering into society, which was the end for which they entered into it; too gross an absurdity for any man to own.

#### **CHAP. XVIII.: Of Tyranny.**

Sec. 202. Where-ever law ends, tyranny begins, if the law be transgressed to another's harm; and whosoever in authority exceeds the power given him by the law, and makes use of the force he has under his command, to compass that upon the subject, which the law allows not, ceases in that to be a magistrate; and, acting without authority, may be opposed, as any other man, who by force invades the right of another.

#### **CHAP. XIX.: Of the Dissolution of Government.**

Sec. 212. . . . When any one, or more, shall take upon them to make laws, whom the people have not appointed so to do, they make laws without authority, which the people are not therefore bound to obey; by which means they come again to be out of subjection, and may constitute to themselves a new legislative, as they think best, being in full liberty to resist the force of those, who without authority would impose any thing upon them..

Sec. 222. . . . Whensoever therefore the legislative shall transgress this fundamental rule of society; and either by ambition, fear, folly or corruption, endeavour to grasp themselves, or put into the hands of any other, an absolute power over the lives, liberties, and estates of the people; by this breach of trust they forfeit the power the people had put into their hands for quite contrary ends, and it devolves to the people, who. have a right to resume their original liberty, and, by the establishment of a new legislative, (such as they shall think fit) provide for their own safety and security, which is the end for which they are in society.

Sec. 225. Secondly, I answer, such revolutions happen not upon every little mismanagement in public affairs. . . . But if a long train of abuses, prevarications and artifices, all tending the same way, make the design visible to the people, and they cannot but feel what they lie under, and see whither they are going; it is not to be wondered, that they should then rouse themselves, and endeavour to put the rule into such hands which may secure to them the ends for which government was at first erected; and without which, ancient names, and specious forms, are so far from being better, that they are much worse, than the state of nature, or pure anarchy; the inconveniencies being all as great and as near, but the remedy farther off and more difficult.