

## **Part Four**

### **Problems in Political Philosophy**

## Introduction to Part Four

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Part Four is concerned with philosophical problems related to the nature and justification of civil government. This is the domain of *political philosophy*, a special branch of value theory. There are lots of questions that arise in political philosophy. One concerns the *form of civil government*. There are lots of options: monarchy, oligarchy, democracy, etc. Perhaps more important in our modern context, though, are the three problems addressed here: (1) the justification of civil government, (2) the question of distributive justice, and (3) the ethics of war.

### The Justification of Government

Few people, in historical memory, have lived outside the scope or authority of some civil government. But why? Why do we have government in the first place? Put another way, what makes the government's authority legitimate? In previous centuries, when monarchy was the most common form of government, some defenders of monarchy would have justified it by appeal to *the divine right of kings*. But nobody today accepts the divine right of kings. Much more common today is the *social contract theory* devised initially by Thomas Hobbes (1588 – 1679) and further developed by John Locke (1632 – 1704). Chapter 16 contains portions of Thomas Hobbes's *Leviathan* in which he lays out his early form of the social contract theory of government. Hobbes contends that life in a "state of nature" (i.e., life without civil government) would be "solitary, poor, nasty, brutish, and short" because there would be no significant protection from the aggression of other people. Government arises, then, when people agree

together to relinquish some of their liberty to a sovereign ruler who has the duty to protect his subjects from aggression.

## **Distributive Justice**

Anyone who believes that civil government is justified at all certainly believes that the government has the right to levy taxes to pay for its legitimate functions. Some people believe, that the legitimate functions of government are very limited. Government exists solely to secure my natural rights—i.e., to protect my rights from interference by other people. Others, however, believe that the government should be concerned about *distributive justice*. This has to do with the distribution of wealth and resources within a society. Because some people have more (and make more) than others, and because many who have less have much too little to live on, some philosophers believe that government has the responsibility to “redistribute” the wealth within a society by taxing those who are better off and giving it to those less fortunate. There are basically three positions on the question of distributive justice:

- *Libertarianism* claims that a just distribution of wealth is whatever distribution results from a free and fair market. There should be no government redistribution of wealth. The libertarian believes that government’s only legitimate function when it comes to distributive justice is to protect each individual’s private property rights.
- *Socialism* is the view that a just distribution of wealth is a completely equal distribution of wealth. Thus, the socialist advocates that government redistributes wealth to achieve the economic equality of all citizens.

- *Welfare liberalism* sees a just distribution of wealth as one that balances individual liberty with the welfare of all citizens. Thus, the welfare liberal advocates *some* redistribution of wealth to insure that everyone has enough to meet their basic needs.

Chapter 17 provides some historical background to the problem of distributive justice with John Locke's famous essay, "Of Property." Here Locke establishes the right to private property in a way that is commensurate with his social contract theory of government. Everyone owns himself, Locke claims, and so everyone owns his own labor and whatever is directly produced by that labor. From this simple starting point, Locke goes on to argue for the right to own land that one puts into production, and then, with the social consensus to use money to make exchanges, the right to acquire further land and property even beyond what one can practically use.

## **The Ethics of War**

Can war ever be morally justified? Put another way, in terms of political philosophy: When, if ever, may the government justly wage war? Historically, there are three answers given to this question:

- The *amoralist* answer: *Anytime it pleases for any reason it pleases*. This position assumes that the government is not constrained by moral considerations. No one today seriously holds this view.
- The *pacifist* answer: *war is never morally justified*. This position is often grounded in a belief that violence in general is always immoral, even in self-defense. Some

- pacifists may grant that *some* violence may be justified, but hold that the level of violence entailed by war far exceeds what may be justifiable in other circumstances.
- The *just war theory* answer: *the government may sometimes wage war under specified conditions*. Chief among these conditions is that there must be a just cause for going to war. There are also restrictions on the kinds of weapons that may be used and what people may be intentionally targeted.

Chapter 18 includes two historical pieces that explore the justice of war. First is a short selection from Thomas Aquinas's *Summa Theologica* addressing the question, "Whether it is always sinful to wage war?" After addressing several arguments for pacifism, Aquinas presents a brief defense of the just war theory, laying out three conditions that must be met for a war to be just.

Second, a portion of Leo Tolstoy's *My Religion* presents a passionate plea for pacifism based on the teachings of Jesus in his *Sermon on the Mount* (The Gospel of Matthew, chaps. 5-7). Tolstoy recounts his personal struggle in trying to understand Jesus' command to "resist not evil." He finally concluded that, contrary to the teachings of the Russian Orthodox Church to which he belonged, Jesus' words were intended to be taken literally, and that the correct way to suppress evil was to "return good for evil." To those who doubt the efficacy of pacifism, Tolstoy recommends that they ought to give it a try, since we have tried the way of violence for thousands of years without success.

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## Do We Need Government?

### *Leviathan*\*

Thomas Hobbes

Thomas Hobbes (1588-1679) was an early modern English philosopher. He is best known for his political philosophy, especially the social contract theory of government. His views on this subject are expressed in his *Leviathan* (1651).

#### Study Questions

1. How has nature made men? What problem arises from this?
2. What are the three causes of quarrel?
3. What are the effects of the war of every man against every man?
4. Why does Hobbes think that nothing is unjust in the war of every man against every man?
5. What are the first and second laws of nature?
6. What is a contract? What is a covenant? Why do people enter into them?
7. What is the third law of nature? Why is it important? How is it connected to justice?
8. What is the commonwealth? What is its cause or origin?
9. What are the ways that sovereign power may be attained?

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\* From Thomas Hobbes, *Leviathan* (1651).

### **XIII: Of the Natural Condition of Mankind as Concerning Their Felicity, and Misery**

NATURE hath made men so equal in the faculties of body and mind as that, though there be found one man sometimes manifestly stronger in body or of quicker mind than another, yet when all is reckoned together the difference between man and man is not so considerable as that one man can thereupon claim to himself any benefit to which another may not pretend as well as he. 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.

And as to the faculties of the mind, setting aside the arts grounded upon words, and especially that skill of proceeding upon general and infallible rules, called science, which very few have and but in few things, as being not a native faculty born with us, nor attained, as prudence, while we look after somewhat else, I find yet a greater equality amongst men than that of strength. For prudence is but experience, which equal time equally bestows on all men in those things they equally apply themselves unto. That which may perhaps make such equality incredible is but a vain conceit of one's own wisdom, which almost all men think they have in a greater degree than the vulgar; that is, than all men but themselves, and a few others, whom by fame, or for concurring with themselves, they approve. For such is the nature of men that howsoever they may acknowledge many others to be more witty, or more eloquent or more learned, yet they will hardly believe there be many so wise as themselves; for they see their own wit at hand, and other men's at a distance. But this proveth rather that men are in that point equal, than unequal. For there is not ordinarily a greater sign of the equal distribution of anything than that every man is contented with his share.

From this equality of ability ariseth equality of hope in the attaining of our ends. And therefore if any two men desire the same thing, which nevertheless they cannot both enjoy, they become enemies; and in the way to their end (which is principally their own conservation, and sometimes their delectation only) endeavour to destroy or subdue one another. And from hence it comes to pass that where an invader hath 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 labour, but also of his life or liberty. And the invader again is in the like danger of another.

And from this diffidence of one another, there is no way for any man to secure himself so reasonable as anticipation; that is, by force, or wiles, to master the persons of all men he can so long till he see no other power great enough to endanger him: and this is no more than his own conservation requireth, and is generally allowed. Also, because there be some that, taking pleasure in contemplating their own power in the acts of conquest, which they pursue farther than their security requires, if others, that otherwise would be glad to be at ease within modest bounds, should not by invasion increase their power, they would not be able, long time, by standing only on their defence, to subsist. And by consequence, such augmentation of dominion over men being necessary to a man's conservation, it ought to be allowed him.

Again, 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 looketh that his companion should value him at the same rate he sets upon himself, and upon all signs of contempt or undervaluing naturally endeavours, as far as he dares (which amongst them that have no common power to keep them in quiet is far enough to make them destroy each other), to extort a greater value from his contemners, by damage; and from others, by the example.



So that in the nature of man, we find three principal causes of quarrel. First, competition; secondly, diffidence; thirdly, glory.

The first maketh 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. For war consisteth 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: and therefore the notion of *time* is to be considered in the nature of war, as it is in the nature of weather. For as the nature of foul weather lieth not in a shower or two of rain, but in an inclination thereto of many days together: so the nature of war consisteth 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 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 navigation, nor use of the commodities that may be imported by sea; no commodious building; no instruments of moving and removing such things as require much force; no knowledge of the face of the earth; no account of time; no arts; 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.

It may peradventure be thought there was never such a time nor condition of war as this; and I believe it was never generally so, over all the world: but there are many places where they live so now. For the savage people in many places of America, except the government of small families, the concord whereof dependeth on natural lust, have no government at all, and live at this day in that brutish manner, as I said before. Howsoever, it may be perceived what manner of life there would be, where there were no common power to fear, by the manner of life which men that have formerly lived under a peaceful government use to degenerate into a civil war.

But though there had never been any time wherein particular men were in a condition of war one against another, yet in all times kings and persons of sovereign authority, because of their independency, are in continual jealousies, and in the state and posture of gladiators, having their weapons pointing, and their eyes fixed on one another; that is, their forts, garrisons, and guns upon the frontiers of their kingdoms, and continual spies upon their neighbours, which is a posture of war. But because they uphold thereby the industry of their subjects, there does not follow from it that misery which accompanies the liberty of particular men.

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 of such things as are necessary to commodious living; and a hope by their industry to obtain them. And reason suggesteth convenient articles of peace upon which men may be drawn to agreement. These articles are they which otherwise are called the laws of nature, whereof I shall speak more particularly in the two following chapters.

## **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 hath to use his own power as he will himself for the preservation of his own nature; that is to say, of his own life; and consequently, of doing anything which, in his own judgement and reason, he shall conceive to be the aptest means thereunto.

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 judgement 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 that which is destructive of his life, or taketh away the means of preserving the same, and to omit that by which he thinketh it may be best preserved. For though they that speak of this subject use to confound *jus* and *lex*, *right* and *law*, yet they ought to be distinguished, because RIGHT consisteth in liberty to do, or to forbear; whereas LAW determineth and bindeth to one of them: so that law and right differ as much as obligation and liberty, which in one and the same matter are inconsistent.

And because the condition of man (as hath been declared in the precedent chapter) is a condition of war of every one against every one, in which case every one 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 followeth that in such a condition every man has a right to every thing, even to one another's body. And therefore, as long as this natural right of every man to every thing endureth, there can be no security to any man, how strong or wise soever he be, of living out the time which nature ordinarily alloweth men to live. And consequently it is a

precept, or general rule of reason: *that every man ought to endeavour 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 containeth 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 endeavour peace, is derived this second law: *that a man be willing, when others are so too, as far forth as for peace and defence of himself he shall think it necessary, 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 holdeth this right, of doing anything he liketh; so long are all men in the condition of war. But if other men will not lay down their right, as well as he, then there is no reason for anyone to divest himself of his: for that were to expose himself to prey, which no man is bound to, rather than to dispose himself to peace. This is that law of the Gospel: *Whatsoever you require that others should do to you, that do ye to them.* And that law of all men, *quod tibi fieri non vis, alteri ne feceris* [“What you do not want done to you, do not do to others.”].

To *lay down* a man’s *right* to anything is to divest himself of the *liberty* of hindering another of the benefit of his own right to the same. For he that renounceth or passeth away his right giveth not to any other man a right which he had not before, because there is nothing to which every man had not right by nature, but only standeth out of his way that he may enjoy his own original right without hindrance from him, not without hindrance from another. So that the effect which redoundeth to one man by another man’s defect of right is but so much diminution of impediments to the use of his own right original.

Right is laid aside, either by simply renouncing it, or by transferring it to another. By *simply* RENOUNCING, when he cares not to whom the benefit thereof redoundeth. By TRANSFERRING, when he intendeth the benefit thereof to some certain person or persons. And when a man hath in either manner abandoned or granted away his right, then is he said to be OBLIGED, or BOUND, not to hinder those to whom such right is granted, or abandoned, from the benefit of it: and that he *ought*, and it is DUTY, not to make void that voluntary act of his own: and that such hindrance is INJUSTICE, and INJURY, as being *sine jure* [i.e., without right]; the right being before renounced or transferred. So that *injury* or *injustice*, in the controversies of the world, is somewhat like to that which in the disputations of scholars is called *absurdity*. For as it is there called an absurdity to contradict what one maintained in the beginning; so in the world it is called injustice, and injury voluntarily to undo that which from the beginning he had voluntarily done. The way by which a man either simply renounceth or transferreth his right is a declaration, or signification, by some voluntary and sufficient sign, or signs, that he doth so renounce or transfer, or hath so renounced or transferred the same, to him that accepteth it. And these signs are either words only, or actions only; or, as it happeneth most often, both words and actions. And the same are the BONDS, by which men are bound and obliged: 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.

Whensoever a man transferreth his right, or renounceth it, it is either in consideration of some right reciprocally transferred to himself, or for some other good he hopeth for thereby. For it is a voluntary act: and of the voluntary acts of every man, the object is some *good to himself*. And therefore there be some rights which no man can be understood by any words, or other signs, to have abandoned or transferred. As first a man cannot lay down the right of resisting

them that assault him by force to take away his life, because he cannot be understood to aim thereby at any good to himself. The same may be said of wounds, and chains, and imprisonment, both because there is no benefit consequent to such patience, as there is to the patience of suffering another to be wounded or imprisoned, as also because a man cannot tell when he seeth men proceed against him by violence whether they intend his death or not. And lastly the motive and end for which this renouncing and transferring of right is introduced is nothing else but the security of a man's person, in his life, and in the means of so preserving life as not to be weary of it. And therefore if a man by words, or other signs, seem to despoil himself of the end for which those signs were intended, he is not to be understood as if he meant it, or that it was his will, but that he was ignorant of how such words and actions were to be interpreted.

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

There is difference between transferring of right to the thing, the thing, and transferring or tradition, that is, delivery of the thing itself. For the thing may be delivered together with the translation of the right, as in buying and selling with ready money, or exchange of goods or lands, and it may be delivered some time after.

Again, one of the contractors may deliver the thing contracted for on his part, and leave the other to perform his part at some determinate time after, and in the meantime be trusted; and then the contract on his part is called PACT, or COVENANT: or both parts may contract now to perform hereafter, in which cases he that is to perform in time to come, being trusted, his performance is called *keeping of promise*, or faith, and the failing of performance, if it be voluntary, *violation of faith*.

When the transferring of right is not mutual, but one of the parties transferreth in hope to gain thereby friendship or service from another, or from his friends; or in hope to gain the

reputation of charity, or magnanimity; or to deliver his mind from the pain of compassion; or in hope of reward in heaven; this is not contract, but GIFT, FREE GIFT, GRACE: which words signify one and the same thing.

Signs of contract are either *express* or by *inference*. Express are words spoken with understanding of what they signify: and such words are either of the time *present* or *past*; as, *I give, I grant, I have given, I have granted, I will that this be yours*: or of the future; as, *I will give, I will grant*, which words of the future are called PROMISE.

Signs by inference are sometimes the consequence of *words*; sometimes the consequence of *silence*; sometimes the consequence of *actions*; sometimes the consequence of *forbearing an action*: and generally a sign by inference, of any contract, is whatsoever sufficiently argues the will of the contractor. . . .

If a covenant be made wherein neither of the parties perform presently, but trust one another, in the condition of mere nature (which is a condition of war of every man against every man) upon any reasonable suspicion, it is void: but if there be a common power set over them both, with right and force sufficient to compel performance, it is not void. For he that performeth first has no assurance the other will perform after, because the bonds of words are too weak to bridle men's ambition, avarice, anger, and other passions, without the fear of some coercive power; which in the condition of mere nature, where all men are equal, and judges of the justness of their own fears, cannot possibly be supposed. And therefore he which performeth first does but betray himself to his enemy, contrary to the right he can never abandon of defending his life and means of living.



But in a civil estate, where there a power set up to constrain those that would otherwise violate their faith, that fear is no more reasonable; and for that cause, he which by the covenant is to perform first is obliged so to do.

The cause of fear, which maketh such a covenant invalid, must be always something arising after the covenant made, as some new fact or other sign of the will not to perform, else it cannot make the covenant void. For that which could not hinder a man from promising ought not to be admitted as a hindrance of performing.

He that transferreth any right transferreth the means of enjoying it, as far as lieth in his power. As he that selleth land is understood to transfer the herbage and whatsoever grows upon it; nor can he that sells a mill turn away the stream that drives it. And they that give to a man the right of government in sovereignty are understood to give him the right of levying money to maintain soldiers, and of appointing magistrates for the administration of justice. . . .

## **XV: Of Other Laws of Nature**

From that law of nature by which we are obliged to transfer to another such rights as, being retained, hinder the peace of mankind, there followeth a third; which is this: *that men perform their covenants made*; without which covenants are in vain, and but empty words; and the right of all men to all things remaining, we are still in the condition of war.

And in this law of nature consisteth the fountain and original of JUSTICE. For where no covenant hath preceded, there hath no right been transferred, and every man has right to everything and consequently, no action can be unjust. But when a covenant is made, then to break it is *unjust* and the definition of INJUSTICE is no other than *the not performance of covenant*. And whatsoever is not unjust, is *just*.

But because covenants of mutual trust, where there is a fear of not performance on either part (as hath been said in the former chapter), are invalid, though the original of justice be the making of covenants, yet injustice actually there can be none till the cause of such fear be taken away; which, while men are in the natural condition of war, cannot be done. Therefore before the names of just and unjust can have place, there must be some coercive power to compel men equally to the performance of their covenants, by the terror of some punishment greater than the benefit they expect by the breach of their covenant, and to make good that propriety which by mutual contract men acquire in recompense of the universal right they abandon: and such power there is none before the erection of a Commonwealth. And this is also to be gathered out of the ordinary definition of justice in the Schools, for they say that *justice is the constant will of giving to every man his own*. And therefore where there is no *own*, that is, no propriety, there is no injustice; and where there is no coercive power erected, that is, where there is no Commonwealth, there is no propriety, all men having right to all things: therefore where there is no Commonwealth, there nothing is unjust. So that the nature of justice consisteth in keeping of valid covenants, but the validity of covenants begins not but with the constitution of a civil power sufficient to compel men to keep them: and then it is also that propriety begins. . . .

These are the laws of nature, dictating peace, for a means of the conservation of men in multitudes; and which only concern the doctrine of civil society. There be other things tending to the destruction of particular men; as drunkenness, and all other parts of intemperance, which may therefore also be reckoned amongst those things which the law of nature hath forbidden, but are not necessary to be mentioned, nor are pertinent enough to this place.

And though this may seem too subtle a deduction of the laws of nature to be taken notice of by all men, whereof the most part are too busy in getting food, and the rest too negligent to

understand; yet to leave all men inexcusable, they have been contracted into one easy sum, intelligible even to the meanest capacity; and that is: *Do not that to another which thou wouldst not have done to thyself*, which showeth him that he has no more to do in learning the laws of nature but, when weighing the actions of other men with his own they seem too heavy, to put them into the other part of the balance, and his own into their place, that his own passions and self-love may add nothing to the weight; and then there is none of these laws of nature that will not appear unto him very reasonable.

The laws of nature oblige *in foro interno* [“in the internal forum”—i.e., in the mind]; that is to say, they bind to a desire they should take place: but *in foro externo* [“in the external forum”—i.e., in the public sphere]; that is, to the putting them in act, not always. For he that should be modest and tractable, and perform all he promises in such time and place where no man else should do so, should but make himself a prey to others, and procure his own certain ruin, contrary to the ground of all laws of nature which tend to nature’s preservation. And again, he that having sufficient security that others shall observe the same laws towards him, observes them not himself, seeketh not peace, but war, and consequently the destruction of his nature by violence.

And whatsoever laws bind *in foro interno* may be broken, not only by a fact contrary to the law, but also by a fact according to it, in case a man think it contrary. For though his action in this case be according to the law, yet his purpose was against the law; which, where the obligation is *in foro interno*, is a breach.

The laws of nature are immutable and eternal; for injustice, ingratitude, arrogance, pride, iniquity, acception of persons, and the rest can never be made lawful. For it can never be that war shall preserve life, and peace destroy it.

The same laws, because they oblige only to a desire and endeavour, mean an unfeigned and constant endeavour, are easy to be observed. For in that they require nothing but endeavour, he that endeavoureth their performance fulfilleth them; and he that fulfilleth the law is just.

And the science of them is the true and only moral philosophy. For moral philosophy is nothing else but the science of what is *good* and *evil* in the conversation and society of mankind. *Good* and *evil* are names that signify our appetites and aversions, which in different tempers, customs, and doctrines of men are different: and diverse men differ not only in their judgement on the senses of what is pleasant and unpleasant to the taste, smell, hearing, touch, and sight; but also of what is conformable or disagreeable to reason in the actions of common life. Nay, the same man, in diverse times, differs from himself; and one time praiseth, that is, calleth good, what another time he dispraiseth, and calleth evil: from whence arise disputes, controversies, and at last war. And therefore so long as a man is in the condition of mere nature, which is a condition of war, private appetite is the measure of good and evil: and consequently all men agree on this, that peace is good, and therefore also the way or means of peace, which (as I have shown before) are *justice*, *gratitude*, *modesty*, *equity*, *mercy*, and the rest of the laws of nature, are good; that is to say, *moral virtues*; and their contrary *vices*, evil. Now the science of virtue and vice is moral philosophy; and therefore the true doctrine of the laws of nature is the true moral philosophy. But the writers of moral philosophy, though they acknowledge the same virtues and vices; yet, not seeing wherein consisted their goodness, nor that they come to be praised as the means of peaceable, sociable, and comfortable living, place them in a mediocrity of passions: as if not the cause, but the degree of daring, made fortitude; or not the cause, but the quantity of a gift, made liberality.

These dictates of reason men used to call by the name of laws, but improperly: for they are but conclusions or theorems concerning what conduceth to the conservation and defence of themselves; whereas law, properly, is the word of him that by right hath command over others. But yet if we consider the same theorems as delivered in the word of God that by right commandeth all things, then are they properly called laws.

## **XVII: Of the Causes, Generation, and Definition of a Commonwealth**

The final cause, end, or design of men (who naturally love liberty, and dominion over others) in the introduction of that restraint upon themselves, in which we see them live in Commonwealths, is the foresight of their own preservation, and of a more contented life thereby; that is to say, of getting themselves out from that miserable condition of war which is necessarily consequent, as hath been shown in chapter thirteen, to the natural passions of men when there is no visible power to keep them in awe, and tie them by fear of punishment to the performance of their covenants, and observation of those laws of nature set down in the fourteenth and fifteenth chapters.

For the laws of nature, as *justice, equity, modesty, mercy*, and, in sum, *doing to others as we would be done to*, of themselves, without the terror of some power to cause them to be observed, are contrary to our natural passions, that carry us to partiality, pride, revenge, and the like. And covenants, without the sword, are but words and of no strength to secure a man at all. Therefore, notwithstanding the laws of nature (which every one hath then kept, when he has the will to keep them, when he can do it safely), if there be no power erected, or not great enough for our security, every man will and may lawfully rely on his own strength and art for caution against all other men. And in all places, where men have lived by small families, to rob and spoil one

another has been a trade, and so far from being reputed against the law of nature that the greater spoils they gained, the greater was their honour; and men observed no other laws therein but the laws of honour; that is, to abstain from cruelty, leaving to men their lives and instruments of husbandry. And as small families did then; so now do cities and kingdoms, which are but greater families (for their own security), enlarge their dominions upon all pretences of danger, and fear of invasion, or assistance that may be given to invaders; endeavour as much as they can to subdue or weaken their neighbours by open force, and secret arts, for want of other caution, justly; and are remembered for it in after ages with honour. . . .

It is true that certain living creatures, as bees and ants, live sociably one with another (which are therefore by Aristotle numbered amongst political creatures), and yet have no other direction than their particular judgements and appetites; nor speech, whereby one of them can signify to another what he thinks expedient for the common benefit: and therefore some man may perhaps desire to know why mankind cannot do the same. To which I answer,

First, that men are continually in competition for honour and dignity, which these creatures are not; and consequently amongst men there ariseth on that ground, envy, and hatred, and finally war; but amongst these not so.

Secondly, that amongst these creatures the common good differeth not from the private; and being by nature inclined to their private, they procure thereby the common benefit. But man, whose joy consisteth in comparing himself with other men, can relish nothing but what is eminent.

Thirdly, that these creatures, having not, as man, the use of reason, do not see, nor think they see, any fault in the administration of their common business: whereas amongst men there are very many that think themselves wiser and abler to govern the public better than the rest, and

these strive to reform and innovate, one this way, another that way; and thereby bring it into distraction and civil war.

Fourthly, that these creatures, though they have some use of voice in making known to one another their desires and other affections, yet they want that art of words by which some men can represent to others that which is good in the likeness of evil; and evil, in the likeness of good; and augment or diminish the apparent greatness of good and evil, discontenting men and troubling their peace at their pleasure.

Fifthly, irrational creatures cannot distinguish between *injury* and *damage*; and therefore as long as they be at ease, they are not offended with their fellows: whereas man is then most troublesome when he is most at ease; for then it is that he loves to show his wisdom, and control the actions of them that govern the Commonwealth.

Lastly, the agreement of these creatures is natural; that of men is by covenant only, which is artificial: and therefore it is no wonder if there be somewhat else required, besides covenant, to make their agreement constant and lasting; which is a common power to keep them in awe and to direct their actions to the common benefit.

The only way to erect such a common power, as may be able to defend them from the invasion of foreigners, and the injuries of one another, and thereby to secure them in such sort as that by their own industry and by the fruits of the earth they may nourish themselves and live contentedly, is to confer all their power and strength upon one man, or upon one assembly of men, that may reduce all their wills, by plurality of voices, unto one will: which is as much as to say, to appoint one man, or assembly of men, to bear their person; and every one to own and acknowledge himself to be author of whatsoever he that so beareth their person shall act, or cause to be acted, in those things which concern the common peace and safety; and therein to

submit their wills, every one to his will, and their judgements to his judgement. This is more than consent, or concord; it is a real unity of them all in one and the same person, made by covenant of every man with every man, in such manner as if every man should say to every man: *I authorise and give up my right of governing myself to this man, or to this assembly of men, on this condition; that thou give up, thy right to him, and authorise all his actions in like manner.* This done, the multitude so united in one person is called a COMMONWEALTH; in Latin, CIVITAS. This is the generation of that great LEVIATHAN, or rather, to speak more reverently, of that mortal god to which we owe, under the immortal God, our peace and defence. For by this authority, given him by every particular man in the Commonwealth, he hath the use of so much power and strength conferred on him that, by terror thereof, he is enabled to form the wills of them all, to peace at home, and mutual aid against their enemies abroad. And in him consisteth the essence of the Commonwealth; which, to define it, is: *one person, of whose acts a great multitude, by mutual covenants one with another, have made themselves every one the author, to the end he may use the strength and means of them all as he shall think expedient for their peace and common defence.*

And he that carryeth this person is called SOVEREIGN, and said to have *sovereign* power; and every one besides, his SUBJECT.

The attaining to this sovereign power is by two ways. One, by natural force: as when a man maketh his children to submit themselves, and their children, to his government, as being able to destroy them if they refuse; or by war subdueth his enemies to his will, giving them their lives on that condition. The other, is when men agree amongst themselves to submit to some man, or assembly of men, voluntarily, on confidence to be protected by him against all others. This latter



may be called a political Commonwealth, or Commonwealth by Institution; and the former, a Commonwealth by acquisition.

## Questions for Reflection

1. Hobbes believes that people have no rights and that there can be no such things as justice and injustice in the state of nature. Do you agree? Why?
2. The most well-known part of the *American Declaration of Independence* reads as follows:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed.

What does this statement say about the origin of civil government? Where does government get its authority? Do you agree with this view of government's origin and authority? Why?