

same cause, and that is, unplesing priests,* and those not only amongst Catholics, but even in that church that hath presumed* most of reformation.²⁰

CHAPTER XIII

Of the NATURAL CONDITION of MANKIND, As Concerning Their Felicity, and Misery

Men by nature Equal.

[1] 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.

[2] And as to the faculties of the mind—setting aside the arts grounded upon words, and especially that skill of proceeding upon general and inflexible 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

20. Omitted in OL. Clarendon professed to see here a reference to the Church of England (*Brief View*, p. 25). Certainly Archbishop Laud alienated many members of that church by his policies, which did lead to schism in the Church. But one central criticism of the Laudians was that they were too inclined to Romanism. I think it more natural to take the church that “presumed most of reformation” to be the Presbyterians, who, according to Hobbes, claimed to outdo the reformation both of Luther and of Calvin, departing as much from them as they had from the pope. (Cf. *Behemoth*, p. 136) In the ms. version Hobbes presented to Charles II this last clause is replaced by the following: “On whom men by common frailty are carried to execute their anger. They bear down not only religion, which they reduce to private fancy, but also the civil government that would uphold it, reducing it to the natural condition of private force.”

1. OL: “Of the condition of mankind, as concerning their felicity in the present life.”

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 Equality
proceeds Diffidence.*

[3] 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.

From Diffidence War.

[4] 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;² 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.

[5] Again, men have no pleasure, but on the contrary a great deal of grief, in keeping company where there is no power able to over-awe them all. For every man looketh that his companion should value him at the

2. OL: “For since there are those who, from pride and a desire for glory, would conquer the whole world . . .”

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 contempters, by damage, and from others, by the example.

[6] So that in the nature of man we find three principal causes of quarrel: first, competition; secondly, diffidence; thirdly, glory.

[7] 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.

[8] 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.³ All other time is *Peace*.

[9] 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 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.⁴

[10] 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

3. Hobbes' definition is more inclusive than that of Grotius (*De jure belli ac pacis* I, i, 2).

4. Cf. Thucydides I, ii–viii.

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.⁵ 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.⁶

[11] *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.⁷ 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, in a civil war.⁸

5. This seems inconsistent with vi, 23; but cf. xxvii, 1.

6. OL adds: "But why try to demonstrate to learned men what even dogs know, who bark at visitors, sometimes, indeed, only at those who are unknown, but in the night at everyone?"

7. OL: "But someone may say: there has never been a war of all against all. What! Did not Cain out of envy kill his brother Abel, a crime so great he would not have dared it if there had at that time been a common power which could have punished him?" The Biblically alert reader might object that Cain *was* living under a power able to punish his misdeeds. (Genesis 4:6–16 relates that God punished him immediately.) This, perhaps, prompted Leibniz to write to Hobbes offering him the following defense against charges of license and impiety: assuming God's existence as ruler of the world, there can be no purely natural state of man, nor does Hobbes really think there is. (Letter of July 1670) If Hobbes replied, we do not have his letter. Cf. also EW V, 183–84, and EL I, xiv, 12.

8. Hobbes may be thinking of Thucydides' description of the civil war in Corcyra (III, lxxix–lxxxv), though his account of the anarchy resulting from the plague in Athens (II, l–lv) is also pertinent.

[12] 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.

[13] To this war of every man against every man, this also is consequent: that *nothing can be unjust.⁹ 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.¹⁰ In such a War, nothing is Unjust.

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.

[14] 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.

9. OL. "nothing is to be called unjust." Perhaps this statement should be taken as qualified by the definition of the right of nature which follows (xv, 1), so that no conduct is unjust if (in the agent's opinion) it is required for self-preservation. Hobbes' argument in *Leviathan* differs from the earlier EL and DCv, where the assertion of a common right of all to all things in the state of nature precedes (and partly justifies) the claim that the state of nature is a war of all against all (cf. EL i, xiv, 10-11; DCv i, 10-12). Here the absence of exclusive property rights in the state of nature is presented as a consequence of the fact that the state of nature is a war of all against all.

10. Not in OL. Absent this statement, Hobbes' argument seems to assume that in war the laws are silent, a maxim he elsewhere has reservations about (EL I, xix, 2, and DCv v, 2). With this statement, it seems he need not (for purposes of this argument) assume that the state of nature is a state of war.

CHAPTER XIV Of the First and Second NATURAL LAWS and of CONTRACTS

[1] 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 judgment and reason, he shall conceive to be the aptest means thereunto.¹

[2] 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.²

A law of Nature what
Difference of Right
and Law.

[3] 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.³ For though they that speak of this subject use to confound *jus* and *lex* (*right* and *law*),⁴ 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

1. Cf. Grotius: "Natural right (*jus naturale*) is a dictate of right reason indicating that some act is either morally necessary or morally shameful, because of its agreement or disagreement with man's nature as a rational and social being, and consequently that such an act is either commanded or forbidden by God, the author of nature." (*De jure belli ac pacis* I, i, 10, 12) Cf. below, ¶3, and xv, 40.

2. Not in OL. Cf. DCv ix, 9, where Hobbes complains that no previous writer has explained what the difference between liberty and bondage is.

3. OL. "seems to him to tend to his own loss." For the evolution of this definition, cf. EL I, x, 1, and DCv ii, 1, which emphasize the lack of a universally agreed definition of natural law. Hobbes acknowledges the controversial nature of his definition in xv, 8. On the interpretation of the definition generally, see the concluding sections of xv (¶¶34-41).

4. Cf. *A Dialogue between a Philosopher and a Student of the Common Laws of England*, p. 73, where Coke is criticized for confusing these notions. Similarly, though Grotius distinguishes the different senses *jus* may have (*De jure belli ac pacis* I, i, 3-9), and identifies a sense in which it involves a liberty as the strict and proper sense of the term (I, i, 5), he still defines *jus naturale* in a way which makes it a command or prohibition (see n. 1 above). There is a useful discussion of the history