

Leviathan by Thomas Hobbes

Thomas Hobbes' "Leviathan" is one of the most influential works in political philosophy. Thomas Hobbes is a seventeenth-century political philosopher known mainly for his social contract theory. His thinking was heavily influenced by the English Civil War. Hobbes' political philosophy was strongly influenced by the chaos and violence he saw around him. This civil war was a struggle for power and authority, questioning the foundations of government and the right of rule. Witnessing the horrors of civil war did not give Hobbes the most positive view of man's nature. Indeed, Hobbes argues that 'man is a wolf to other men'. In the 'state of nature', man is totally free, but also very vulnerable to other people. In this hypothetical period, we are in a 'war of all against all', according to Hobbes.



This view of human nature, in which humans are seen as primarily driven by self-preservation and fear of death, enabled Hobbes to propose a solution that was radical at the time: the social contract. According to Hobbes, people would give up their natural freedoms and agree to absolute sovereignty to ensure peace and order.

Reading questions chapter 13:

Question 1) In the previous week, we saw that according to Aristotle, man is by nature a political animal. What is Hobbes' idea about this?

Question 2) How does Hobbes justify the proposition that all human beings are naturally equal, despite obvious differences in physical strength and mental capacities? Discuss how this innate equality leads to conflict according to Hobbes and what role it plays in the formation of social contracts.

CHAPTER XIII.: of the natural condition of mankind as concerning their felicity, and misery.

Men by nature equal.

Nature hath made men so equal, in the faculties of the 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 any thing, than that every man is contented with his share.

From equality proceeds diffidence.

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.

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 over-awe 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.

Out of civil states, there is always war of every one against every one.

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.

The incommunities of such a war.

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.

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, in 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.

In such a war nothing is unjust.

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.

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.

Leesvraag hoofdstuk 14

Vraag 3) Hobbes stelt dat in een natuurstaat iedereen het recht heeft op alles, inclusief het lichaam van een ander. Hoe rechtvaardigt hij de overgang van dit natuurlijke recht naar de instelling van eigendomsrechten en contracten?

CHAPTER XIV.: of the first and second natural laws, and of contracts.

Right of nature what.

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 any thing, which in his own judgment, and reason, he shall conceive to be the aptest means thereunto.

Liberty what.

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 what. Difference of right and law.

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.

Naturally every man has right to every thing. The fundamental law of nature.

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.*

The second law of nature.

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 any thing 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 any one, 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.*

Reading question chapter 15

Question 4) What is the meaning of INJUSTICE, according to Hobbes? And in the state of nature, what actions are unjust according to Hobbes?

CHAPTER XV.: OF OTHER LAWES OF NATURE

The Third Law Of Nature, Justice

From that law of Nature, by which we are obliged to transferre to another, such Rights, as being retained, hinder the peace of Mankind, there followeth a Third; which is this, That Men Performe Their Covenants Made: without which, Covenants are in vain, and but Empty words; and the Right of all men to all things remaining, wee are still in the condition of Warre.

Justice And Injustice What

And in this law of Nature, consisteth the Fountain and Originall of JUSTICE. For where no Covenant hath preceded, there hath no Right been transferred, and every man has right to every thing; 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.

Justice And Propriety Begin With The Constitution of Common-wealth But because Covenants of mutuall trust, where there is a feare of not performance on either part, (as hath been said in the former Chapter,) are invalid; though the Originall of Justice be the making of Covenants; yet Injustice actually there can be none, till the cause of such feare be taken away; which while men are in the naturall condition of Warre, cannot be done. Therefore before the names of Just, and Unjust can have place, there must be some coercive Power, to compell men equally to the performance of their Covenants, by the terrour of some punishment, greater than the benefit they expect by the breach of their Covenant; and to make good that Propriety, which by mutuall Contract men acquire, in recompence of the universall Right they abandon: and such power there is none before the erection of a Common-wealth. And this is also to be gathered out of the ordinary definition of Justice in the Schooles: 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 coerceive Power erected, that is, where there is no Common-wealth, there is no Propriety; all men having Right to all things: Therefore where there is no Common-wealth, 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 Civill Power, sufficient to compell men to keep them: And then it is also that Propriety begins.

John Locke's Second Treatise

The second author for session 3 is another important figure in political philosophy: John Locke. Locke's writings, especially his 'Two Treatises of Government', offer a contrasting view to Hobbes on the nature of the social contract and the role of government in society.

John Locke, writing in the late 17th century, was a key figure in the Enlightenment and had a major influence on the development of political philosophy. His ideas were revolutionary and advocated the principles of individual liberty and the protection of natural rights, which he described as 'life, liberty, and property' (in the American Declaration of Independence, written by Thomas Jefferson, this triad was modified to 'Life, Liberty and the pursuit of Happiness').

Unlike Hobbes, Locke viewed the state of nature more positively and saw individuals as capable of reason and cooperation. He argued that the social contract was not merely a surrender of individual liberty to a sovereign for protection, but rather an agreement to form a government that respects and protects the inherent rights of individuals.

Locke's social contract theory held that legitimate government is based on the consent of the governed and that the primary role of government is to protect the natural rights of its citizens. This idea laid the foundation for modern democracy and had a major influence on the development of political systems that uphold individual rights and the rule of law.

In the extracts below from Locke, we can see how his ideas on the social contract, the role of government and individual rights contrast with those of Hobbes. We will look at the philosophical underpinnings of Locke's thinking and later in the course at his influence on the development of liberal democratic theory. Later in the course, we will also read Chapter 5, which deals with the origins of property rights.

Reading questions

Question 6) What is Locke's distinction between a 'state of liberty' and a 'state of licence.' According to Locke, where does this limitation come from (or, in other words, what is his argument for the existence of natural laws?) The argument can be found in section 6.

Question 7) Based on Section 9 and Section 13, how does Locke argue that the implementation of natural law should influence the formation of government and the role of civil society?

CHAPTER. II.

OF THE STATE OF NATURE.

Sect. 4. TO understand political power right, and derive it from its original, we must consider, what state all men are naturally in, and that is, a state of perfect freedom to order their actions, and dispose of their possessions and persons, as they think fit, within the bounds of the law of nature, without asking leave, or depending upon the will of any other man.

A state also of equality, wherein all the power and jurisdiction is reciprocal, no one having more than another; there being nothing more evident, than that creatures of the same species and rank, promiscuously born to all the same advantages of nature, and the use of the same faculties, should also be equal one amongst another without subordination or subjection, unless the lord and master of them all should, by any manifest declaration of his will, set one above another, and confer on him, by an evident and clear appointment, an undoubted right to dominion and sovereignty.

Sect. 5. This equality of men by nature, the judicious Hooker looks upon as so evident in itself, and beyond all question, that he makes it the foundation of that obligation to mutual love amongst men, on which he builds the duties they owe one another, and from whence he derives the great maxims of justice and charity. His words are,

The like natural inducement hath brought men to know that it is no less their duty, to love others than themselves; for seeing those things which are equal, must needs all have one measure; if I cannot but wish to receive good, even as much at every man's hands, as any man can wish unto his own soul, how should I look to have any part of my desire herein satisfied, unless myself be careful to satisfy the like desire, which is undoubtedly in other men, being of one and the same nature? To have any thing offered them repugnant to this desire, must needs in all respects grieve them as much as me; so that if I do harm, I must look to suffer, there being no reason that others should shew greater measure of love to me, than they have by me shewed unto them: my

desire therefore to be loved of my equals in nature as much as possible may be, imposeth upon me a natural duty of bearing to them-ward fully the like affection; from which relation of equality between ourselves and them that are as ourselves, what several rules and canons natural reason hath drawn, for direction of life, no man is ignorant, Eccl. Pol. Lib. 1

Sect. 6. But though this be a state of liberty, yet it is not a state of licence: though man in that state have an uncontroulable liberty to dispose of his person or possessions, yet he has not liberty to destroy himself, or so much as any creature in his possession, but where some nobler use than its bare preservation calls for it. 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.

Sect. 7. And that all men may be restrained from invading others rights, and from doing hurt to one another, and the law of nature be observed, which willeth the peace and preservation of all mankind, the execution of the law of nature is, in that state, put into every man's hands, whereby every one has a right to punish the transgressors of that law to such a degree, as may hinder its violation: for the law of nature would, as all other laws that concern men in this world be in vain, if there were no body that in the state of nature had a power to execute that law, and thereby preserve the innocent and restrain offenders. And if any one in the state of nature may punish another for any evil he has done, every one may do so: for in that state of perfect equality, where naturally there is no superiority or jurisdiction of one over another, what any may do in prosecution of that law, every one must needs have a right to do.

Sect. 8. And thus, in the state of nature, one man comes by a power over another; but yet no absolute or arbitrary power, to use a criminal, when he has got him in his hands, according to the passionate heats, or boundless extravagancy of his own will; but only to retribute to him, so far as calm reason and conscience dictate, what is proportionate to his transgression, which is so much as may serve for reparation and restraint: for these two are the only reasons, why one man may lawfully do harm to

another, which is that we call punishment. 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 tie, 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.

Sect. 9. I doubt not but this will seem a very strange doctrine to some men: but before they condemn it, I desire them to resolve me, by what right any prince or state can put to death, or punish an alien, for any crime he commits in their country. It is certain their laws, by virtue of any sanction they receive from the promulgated will of the legislative, reach not a stranger: they speak not to him, nor, if they did, is he bound to hearken to them. The legislative authority, by which they are in force over the subjects of that commonwealth, hath no power over him. Those who have the supreme power of making laws in England, France or Holland, are to an Indian, but like the rest of the world, men without authority: and therefore, if by the law of nature every man hath not a power to punish offences against it, as he soberly judges the case to require, I see not how the magistrates of any community can punish an alien of another country; since, in reference to him, they can have no more power than what every man naturally may have over another.

Sect, 10. Besides the crime which consists in violating the law, and varying from the right rule of reason, whereby a man so far becomes degenerate, and declares himself to quit the principles of human nature, and to be a noxious creature, there is commonly injury done to some person or other, and some other man receives damage by his transgression: in which case he who hath received any damage, has, besides the right of punishment common to him with other men, a particular right to seek reparation from him that has done it: and any other person, who finds it just, may also join with him that is injured, and assist him in recovering from the offender so much as may make satisfaction for the harm he has suffered.

Sect. 11. From these two distinct rights, the one of punishing the crime for restraint, and preventing the like offence, which right of punishing is in every body; the other of taking reparation, which belongs only to the injured party, comes it to pass that the magistrate, who by being magistrate hath the common right of punishing put into his hands, can often, where the public good demands not the execution of the law, remit the punishment of criminal offences by his own authority, but yet cannot remit

the satisfaction due to any private man for the damage he has received. That, he who has suffered the damage has a right to demand in his own name, and he alone can remit: the damnified person has this power of appropriating to himself the goods or service of the offender, by right of self-preservation, as every man has a power to punish the crime, to prevent its being committed again, by the right he has of preserving all mankind, and doing all reasonable things he can in order to that end: and thus it is, that every man, in the state of nature, has a power to kill a murderer, both to deter others from doing the like injury, which no reparation can compensate, by the example of the punishment that attends it from every body, and also to secure men from the attempts of a criminal, who having renounced reason, the common rule and measure God hath given to mankind, hath, by the unjust violence and slaughter he hath committed upon one, declared war against all mankind, and therefore may be destroyed as a lion or a tyger, one of those wild savage beasts, with whom men can have no society nor security: and upon this is grounded that great law of nature, Whoso sheddeth man's blood, by man shall his blood be shed. And Cain was so fully convinced, that every one had a right to destroy such a criminal, that after the murder of his brother, he cries out, Every one that findeth me, shall slay me; so plain was it writ in the hearts of all mankind.

Sect. 12. By the same reason may a man in the state of nature punish the lesser breaches of that law. It will perhaps be demanded, with death? I answer, each transgression may be punished to that degree, and with so much severity, as will suffice to make it an ill bargain to the offender, give him cause to repent, and terrify others from doing the like. Every offence, that can be committed in the state of nature, may in the state of nature be also punished equally, and as far forth as it may, in a commonwealth: for though it would be besides my present purpose, to enter here into the particulars of the law of nature, or its measures of punishment; yet, it is certain there is such a law, and that too, as intelligible and plain to a rational creature, and a studier of that law, as the positive laws of commonwealths; nay, possibly plainer; as much as reason is easier to be understood, than the fancies and intricate contrivances of men, following contrary and hidden interests put into words; for so truly are a great part of the municipal laws of countries, which are only so far right, as they are founded on the law of nature, by which they are to be regulated and interpreted.

Sect. 13. To this strange doctrine, viz. That in the state of nature every one has the executive power of the law of nature, I doubt not but it will be objected, that it is unreasonable for men to be judges in their own cases, that self-love will make men partial to themselves and their friends: and on the other side, that ill nature, passion and revenge will carry them too far in punishing others; and hence nothing but confusion and disorder will follow, and that therefore God hath certainly appointed government to restrain the partiality and violence of men. I easily grant, that civil government is the proper remedy for the inconveniencies of the state of nature, which must certainly be great, where men may be judges in their own case, since it

is easy to be imagined, that he who was so unjust as to do his brother an injury, will scarce be so just as to condemn himself for it: but I shall desire those who make this objection, to remember, that absolute monarchs are but men; and if government is to be the remedy of those evils, which necessarily follow from men's being judges in their own cases, and the state of nature is therefore not to be endured, I desire to know what kind of government that is, and how much better it is than the state of nature, where one man, commanding a multitude, has the liberty to be judge in his own case, and may do to all his subjects whatever he pleases, without the least liberty to any one to question or controul those who execute his pleasure? and in whatsoever he doth, whether led by reason, mistake or passion, must be submitted to? much better it is in the state of nature, wherein men are not bound to submit to the unjust will of another: and if he that judges, judges amiss in his own, or any other case, he is answerable for it to the rest of mankind.

Sect. 14. It is often asked as a mighty objection, where are, or ever were there any men in such a state of nature? To which it may suffice as an answer at present, that since all princes and rulers of independent governments all through the world, are in a state of nature, it is plain the world never was, nor ever will be, without numbers of men in that state. I have named all governors of independent communities, whether they are, or are not, in league with others: for it is not every compact that puts an end to the state of nature between men, but only this one of agreeing together mutually to enter into one community, and make one body politic; other promises, and compacts, men may make one with another, and yet still be in the state of nature. The promises and bargains for truck, &c. between the two men in the desert island, mentioned by Garcilasso de la Vega, in his history of Peru; or between a Swiss and an Indian, in the woods of America, are binding to them, though they are perfectly in a state of nature, in reference to one another: for truth and keeping of faith belongs to men, as men, and not as members of society.

Sect. 15. To those that say, there were never any men in the state of nature, I will not only oppose the authority of the judicious Hooker, Eccl. Pol. lib. i. sect. 10, where he says,

The laws which have been hitherto mentioned, i.e. the laws of nature, do bind men absolutely, even as they are men, although they have never any settled fellowship, never any solemn agreement amongst themselves what to do, or not to do: but forasmuch as we are not by ourselves sufficient to furnish ourselves with competent store of things, needful for such a life as our nature doth desire, a life fit for the dignity of man; therefore to supply those defects and imperfections which are in us, as living single and solely by ourselves, we are naturally induced to seek communion and fellowship with others: this was the cause of men's uniting themselves at first in politic societies.

But I moreover affirm, that all men are naturally in that state, and remain so, till by their own consents they make themselves members of some politic society; and I doubt not in the sequel of this discourse, to make it very clear.

Jean-Jacques Rousseau

The third thinker in the field of social contract theory is Jean-Jacques Rousseau. The picture painted by Rousseau in 'A Discourse Upon the Origin and the Foundation of the Inequality Among Mankind' differs markedly from that of Hobbes and Locke. Rousseau had a much rosier picture of the 'savage' in the state of nature and believed that modern man had become far removed from the simplicity and virtue that characterised the savage.

The work below, which contains only fragments of the entire pamphlet, eventually led to Rousseau's 'The Social Contract', in which he sets out his vision of how society should be formed. We will also read from this later in the course. Rousseau's ideas about man are an enduring inspiration for romantics.

Reading questions

Question 8) How does Rousseau describe different philosophers' views on the state of nature and the origin of society?

Question 9) According to the author, what role does compassion play in the state of nature and how does it influence people's behaviour? What examples are given to support this view?

A Discourse Upon the Origin and the Foundation of the Inequality Among Mankind

[...]

The philosophers, who have examined the foundations of society, have, every one of them, perceived the necessity of tracing it back to a state of nature, but not one of them has ever arrived there. Some of them have not scrupled to attribute to man in that state the ideas of justice and injustice, without troubling their heads to prove, that he really must have had such ideas, or even that such ideas were useful to him: others have spoken of the natural right of every man to keep what belongs to him, without letting us know what they meant by the word belong; others, without further ceremony ascribing to the strongest an authority over the weakest, have immediately struck out government, without thinking of the time requisite for men to form any notion of the things signified by the words authority and government. All of them, in fine, constantly harping on wants, avidity, oppression, desires and pride, have transferred to the state of nature ideas picked up in the bosom of society. In speaking of savages they described citizens. Nay, few of our own writers seem to have so much as doubted, that a state of nature did once actually exist; though it plainly appears by Sacred History, that even the first man, immediately furnished as he was by God himself with both instructions and precepts, never lived in that state, and that, if we give to the books of Moses that credit which every Christian philosopher ought to give to them, we must deny that, even before the deluge, such a state ever existed among men, unless they fell into it by some extraordinary event: a paradox very difficult to maintain, and altogether impossible to prove.

[...]

Hobbes would have it that man is naturally void of fear, and always intent upon attacking and fighting. An illustrious philosopher thinks on the contrary, and Cumberland and Puffendorff likewise affirm it, that nothing is more fearful than man in a state of nature, that he is always in a tremble, and ready to fly at the first motion

he perceives, at the first noise that strikes his ears. This, indeed, may be very true in regard to objects with which he is not acquainted; and I make no doubt of his being terrified at every new sight that presents itself, as often as he cannot distinguish the physical good and evil which he may expect from it, nor compare his forces with the dangers he has to encounter; circumstances that seldom occur in a state of nature, where all things proceed in so uniform a manner, and the face of the earth is not liable to those sudden and continual changes occasioned in it by the passions and inconstancies of collected bodies. But savage man living among other animals without any society or fixed habitation, and finding himself early under a necessity of measuring his strength with theirs, soon makes a comparison between both, and finding that he surpasses them more in address, than they surpass him in strength, he learns not to be any longer in dread of them. Turn out a bear or a wolf against a sturdy, active, resolute savage, (and this they all are,) provided with stones and a good stick; and you will soon find that the danger is at least equal on both sides, and that after several trials of this kind, wild beasts, who are not fond of attacking each other, will not be very fond of attacking man, whom they have found every whit as wild as themselves. As to animals who have really more strength than man has address, he is, in regard to them, what other weaker species are, who find means to subsist notwithstanding; he has even this great advantage over such weaker species, that being equally fleet with them, and finding on every tree an almost inviolable asylum, he is always at liberty to take it or leave it, as he likes best, and of course to fight or to fly, whichever is most agreeable to him. To this we may add that no animal naturally makes war upon man, except in the case of self-defence or extreme hunger; nor ever expresses against him any of these violent antipathies, which seem to indicate that some particular species are intended by nature for the food of others.

But there are other more formidable enemies, and against which man is not provided with the same means of defence; I mean natural infirmities, infancy, old age, and sickness of every kind, melancholy proofs of our weakness, whereof the two first are common to all animals, and the last chiefly attends man living in a state of society. It is even observable in regard to infancy, that the mother being able to carry her child about with her, wherever she goes, can perform the duty of a nurse with a great deal less trouble, than the females of many other animals, who are obliged to be constantly going and coming with no small labour and fatigue, one way to look out for their own subsistence, and another to suckle and feed their young ones. True it is that, if the woman happens to perish, her child is exposed to the greatest danger of perishing with her; but this danger is common to a hundred other species, whose young ones require a great deal of time to be able to provide for themselves; and if our infancy is longer than theirs, our life is longer likewise; so that, in this respect too, all things are in a manner equal; not but that there are other rules concerning the duration of the first age of life, and the number of the young of

man and other animals, but they do not belong to my subject. With old men, who stir and perspire but little, the demand for food diminishes with their abilities to provide it; and as a savage life would exempt them from the gout and the rheumatism, and old age is of all ills that which human assistance is least capable of alleviating, they would at last go off, without its being perceived by others that they ceased to exist, and almost without perceiving it themselves.

In regard to sickness, I shall not repeat the vain and false declamations made use of to discredit medicine by most men, while they enjoy their health; I shall only ask if there are any solid observations from which we may conclude that in those countries where the healing art is most neglected, the mean duration of man's life is shorter than in those where it is most cultivated? And how is it possible this should be the case, if we inflict more diseases upon ourselves than medicine can supply us with remedies! The extreme inequalities in the manner of living of the several classes of mankind, the excess of idleness in some, and of labour in others, the facility of irritating and satisfying our sensuality and our appetites, the too exquisite and out of the way aliments of the rich, which fill them with fiery juices, and bring on indigestions, the unwholesome food of the poor, of which even, bad as it is, they very often fall short, and the want of which tempts them, every opportunity that offers, to eat greedily and overload their stomachs; watchings, excesses of every kind, immoderate transports of all the passions, fatigues, waste of spirits, in a word, the numberless pains and anxieties annexed to every condition, and which the mind of man is constantly a prey to; these are the fatal proofs that most of our ills are of our own making, and that we might have avoided them all by adhering to the simple, uniform and solitary way of life prescribed to us by nature. Allowing that nature intended we should always enjoy good health, I dare almost affirm that a state of reflection is a state against nature, and that the man who meditates is a depraved animal. We need only call to mind the good constitution of savages, of those at least whom we have not destroyed by our strong liquors; we need only reflect, that they are strangers to almost every disease, except those occasioned by wounds and old age, to be in a manner convinced that the history of human diseases might be easily composed by pursuing that of civil societies. Such at least was the opinion of Plato, who concluded from certain remedies made use of or approved by Podalyrus and Macaon at the Siege of Troy, that several disorders, which these remedies were found to bring on in his days, were not known among men at that remote period.

Man therefore, in a state of nature where there are so few sources of sickness, can have no great occasion for physic, and still less for physicians; neither is the human species more to be pitied in this respect, than any other species of animals. Ask those who make hunting their recreation or business, if in their excursions they meet with many sick or feeble animals. They meet with many carrying the marks of considerable wounds, that have been perfectly well healed and closed up; with many,

whose bones formerly broken, and whose limbs almost torn off, have completely knit and united, without any other surgeon but time, any other regimen but their usual way of living, and whose cures were not the less perfect for their not having been tortured with incisions, poisoned with drugs, or worn out by diet and abstinence. In a word, however useful medicine well administered may be to us who live in a state of society, it is still past doubt, that if, on the one hand, the sick savage, destitute of help, has nothing to hope from nature, on the other, he has nothing to fear but from his disease; a circumstance, which oftens renders his situation preferable to ours.

Let us therefore beware of confounding savage man with the men, whom we daily see and converse with.

[...]

But above all things let us beware concluding with Hobbes, that man, as having no idea of goodness, must be naturally bad; that he is vicious because he does not know what virtue is; that he always refuses to do any service to those of his own species, because he believes that none is due to them; that, in virtue of that right which he justly claims to everything he wants, he foolishly looks upon himself as proprietor of the whole universe. Hobbes very plainly saw the flaws in all the modern definitions of natural right: but the consequences, which he draws from his own definition, show that it is, in the sense he understands it, equally exceptionable. This author, to argue from his own principles, should say that the state of nature, being that where the care of our own preservation interferes least with the preservation of others, was of course the most favourable to peace, and most suitable to mankind; whereas he advances the very reverse in consequence of his having injudiciously admitted, as objects of that care which savage man should take of his preservation, the satisfaction of numberless passions which are the work of society, and have rendered laws necessary. A bad man, says he, is a robust child. But this is not proving that savage man is a robust child; and though we were to grant that he was, what could this philosopher infer from such a concession? That if this man, when robust, depended on others as much as when feeble, there is no excess that he would not be guilty of. He would make nothing of striking his mother when she delayed ever so little to give him the breast; he would claw, and bite, and strangle without remorse the first of his younger brothers, that ever so accidentally jostled or otherwise disturbed him. But these are two contradictory suppositions in the state of nature, to be robust and dependent. Man is weak when dependent, and his own master before he grows robust. Hobbes did not consider that the same cause, which hinders savages from making use of their reason, as our jurisconsults pretend, hinders them at the same time from making an ill use of their faculties, as he himself pretends; so that we may say that savages are not bad, precisely because they don't know what it is to

be good; for it is neither the development of the understanding, nor the curb of the law, but the calmness of their passions and their ignorance of vice that hinders them from doing ill: *tantus plus in illis proficit vitiorum ignorantia, quam in his cognito virtutis*. There is besides another principle that has escaped Hobbes, and which, having been given to man to moderate, on certain occasions, the blind and impetuous sallies of self-love, or the desire of self-preservation previous to the appearance of that passion, allays the ardour, with which he naturally pursues his private welfare, by an innate abhorrence to see beings suffer that resemble him. I shall not surely be contradicted, in granting to man the only natural virtue, which the most passionate detractor of human virtues could not deny him, I mean that of compassion, a disposition suitable to creatures weak as we are, and liable to so many evils; a virtue so much the more universal, and withal useful to man, as it takes place in him of all manner of reflection; and so natural, that the beasts themselves sometimes give evident signs of it. Not to speak of the tenderness of mothers for their young; and of the dangers they face to screen them from danger; with what reluctance are horses known to trample upon living bodies; one animal never passes unmoved by the dead carcass of another animal of the same species: there are even some who bestow a kind of sepulture upon their dead fellows; and the mournful lowings of cattle, on their entering the slaughter-house, publish the impression made upon them by the horrible spectacle they are there struck with. It is with pleasure we see the author of the fable of the bees, forced to acknowledge man a compassionate and sensible being; and lay aside, in the example he offers to confirm it, his cold and subtle style, to place before us the pathetic picture of a man, who, with his hands tied up, is obliged to behold a beast of prey tear a child from the arms of his mother, and then with his teeth grind the tender limbs, and with his claws rend the throbbing entrails of the innocent victim. What horrible emotions must not such a spectator experience at the sight of an event which does not personally concern him? What anguish must he not suffer at his not being able to assist the fainting mother or the expiring infant?

It is therefore certain that compassion is a natural sentiment, which, by moderating in every individual the activity of self-love, contributes to the mutual preservation of the whole species. It is this compassion which hurries us without reflection to the assistance of those we see in distress; it is this compassion which, in a state of nature, stands for laws, for manners, for virtue, with this advantage, that no one is tempted to disobey her sweet and gentle voice: it is this compassion which will always hinder a robust savage from plundering a feeble child, or infirm old man, of the subsistence they have acquired with pain and difficulty, if he has but the least prospect of providing for himself by any other means: it is this compassion which, instead of that sublime maxim of argumentative justice, Do to others as you would have others do to you, inspires all men with that other maxim of natural goodness a great deal less perfect, but perhaps more useful, Consult your own happiness with as little prejudice as you can to that of others. It is in a word, in this natural sentiment, rather

than in fine-spun arguments, that we must look for the cause of that reluctance which every man would experience to do evil, even independently of the maxims of education. Though it may be the peculiar happiness of Socrates and other geniuses of his stamp, to reason themselves into virtue, the human species would long ago have ceased to exist, had it depended entirely for its preservation on the reasonings of the individuals that compose it.

[...]

The first man, who, after enclosing a piece of ground, took it into his head to say, "This is mine," and found people simple enough to believe him, was the true founder of civil society. How many crimes, how many wars, how many murders, how many misfortunes and horrors, would that man have saved the human species, who pulling up the stakes or filling up the ditches should have cried to his fellows: Be sure not to listen to this imposter; you are lost, if you forget that the fruits of the earth belong equally to us all, and the earth itself to nobody! But it is highly probable that things were now come to such a pass, that they could not continue much longer in the same way; for as this idea of property depends on several prior ideas which could only spring up gradually one after another, it was not formed all at once in the human mind: men must have made great progress; they must have acquired a great stock of industry and knowledge, and transmitted and increased it from age to age before they could arrive at this last term of the state of nature. Let us therefore take up things a little higher, and collect into one point of view, and in their most natural order, this slow succession of events and mental improvements.

[...]