

THOMAS HOBBS

# Leviathan

with selected variants  
from the Latin edition of 1668

Edited,  
with Introduction and Notes by  
Edwin Curley

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# PART II OF COMMONWEALTH<sup>1</sup>

## CHAPTER XVII Of the Causes, Generation, and Definition of a COMMONWEALTH

[1] 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 [ch. xiii]) 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.

[2] 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

*The End of Commonwealth, particular Security.*

*Which is not to be had from the Law of Nature.*

men their lives and instruments of husbandry.<sup>2</sup> 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, [and] 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).

[3] Nor is it the joining together of a small number of men that gives them this security; because in small numbers, small additions on the one side or the other make the advantage of strength so great as is sufficient to carry the victory; and therefore gives encouragement to an invasion. The multitude sufficient to confide in for our security is not determined by any certain number, but by comparison with the enemy we fear, and is then sufficient, when the odds\* of the enemy is not of so visible and conspicuous moment,\* to determine the event of war, as to move him to attempt.

*Nor from the conjunction of a few men or families.*

[4] And be there never so great a multitude, yet if their actions be directed according to their particular judgments and particular appetites, they can expect thereby no defence, nor protection, neither against a common enemy, nor against the injuries of one another. For being distracted\* in opinions concerning the best use and application of their strength, they do not help, but hinder one another, and reduce their strength by mutual opposition to nothing; whereby they are easily, not only subdued by a very few that agree together, but also when there is no common enemy, they make war upon each other, for their particular interests. For if we could suppose a great multitude of men to consent\* in the observation of justice and other laws of nature without a common power to keep them all in awe, we might as well suppose all mankind to do the same; and then there neither would be, nor need to be, any civil government or commonwealth at all, because there would be peace without subjection.

*Nor from a great Multitude, unless directed by one judgment.*

[5] Nor is it enough for the security, which men desire should last all the time of their life, that they be governed and directed by one judgment for a limited time, as in one battle or one war. For though they obtain a victory by their unanimous endeavour against a foreign enemy, yet afterwards, when either they have no common enemy,

*And that continually.*

2. OL: "The histories of ancient Greece teach the same thing also, that where there were no authorities except the paternal, theft, on land and sea, was a trade not only lawful, but also, provided they abstained from cruelty and from the tools of agriculture, honorable." Cf. Thucydides I, 5-6, and Aquinas, *Summa theologiae*, I-II, qu. 94, art. 4.

1. OL: "De Civitate sive Republica." Similarly in xvii, 13.

or he that by one part is held for an enemy is by another part held for a friend, they must needs by the difference of their interests dissolve, and fall again into a war amongst themselves.

*Why certain creatures without reason, or speech, do nevertheless live in Society, without any coercive Power.*

[6] 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),<sup>3</sup> and yet have no other direction than their particular judgments 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,

[7] 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.

[8] 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.<sup>4</sup>

[9] 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.

[10] 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.

[11] Fifthly, irrational creatures cannot distinguish between *injury* and *damage*; and therefore, as long as they be at ease, they are not offended with

3. Cf. *History of Animals* I, i (488a8–13), where Aristotle classes bees and ants with man as political animals (“social” translates *politike* in the Oxford translation); in *Politics* I, ii (1253a7–18) he holds that man is more a political animal than other gregarious animals, because he alone has a sense of good and evil, and of justice and injustice.

4. OL: “to a man nothing is so pleasant in his own goods as that they are greater than those of others.”

their fellows, whereas man is then most troublesome, when he is most at ease; for then it is that he loves to shew his wisdom, and control\* the actions of them that govern the commonwealth.

[12] 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.

[13] 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 judgments, to his judgment. 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 authorize 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 conform\* 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.*

*The Generation of a Commonwealth.*

*The Definition of a Commonwealth.*

[14] And he that carrieth this person is called SOVEREIGN, and said to have *Sovereign Power*; and every one besides, his SUBJECT. *Sovereign, and Subject, what.*

[15] 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*. And first, I shall speak of a commonwealth by institution.

## CHAPTER XVIII

*Of the RIGHTS of Sovereigns by Institution*

[1] \*A *commonwealth* is said to be *instituted*, when a *multitude* of men do agree and *covenant*, every one with every one, that to whatsoever man or assembly of men shall be given by the major part the right to present the person of them all (that is to say, to be their *representative*) every one, as well he that *voted for it* as he that *voted against it*, shall *authorize* all the actions and judgments of that man or assembly of men, in the same manner as if they were his own, to the end, to live peaceably amongst themselves and be protected against other men.<sup>1</sup>

The act of Instituting a Commonwealth, what

The Consequences to such Institution are

I. The Subjects cannot change the form of government.

[2] \*From this institution of a commonwealth are derived all the *rights* and *faculties* of him, or them, on whom the sovereign power is conferred by the consent of the people assembled.<sup>2</sup>

[3] First, because they covenant, it is to be understood they are not obliged by former covenant to anything repugnant hereunto. And consequently they that have already instituted a commonwealth, being thereby bound by covenant to own the actions and judgments of one, cannot lawfully make a new covenant amongst themselves to be obedient to any other, in any thing whatsoever,

1. OL: "A commonwealth is instituted when men, coming together voluntarily, agree, every one with every one, that they will all obey whatever man or assembly the greater part, by their votes, shall give the right of bearing the person of them all. Each of them, then, is obliged to obey him whom the greater part elected, and is to be considered the author of all his actions, whether he voted for him or not. For unless the votes of all are understood to be included in the majority of votes, they have come together in vain, and contrary to the end each one proposed for himself, viz., the peace and protection of all."

2. OL: "From the form of the institution are derived all the power [*potestas*] and all the rights of the one having supreme power [*summam potestatem*], as well as the duties of all the citizens."

without his permission. And therefore, they that are subjects to a monarch cannot without his leave cast off monarchy and return to the confusion of a disunited multitude, nor transfer their person from him that beareth it to another man, or other assembly of men; for they are bound, every man to every man, to own, and be reputed author of, all that he that already is their sovereign shall do and judge fit to be done; so that, any one man dissenting, all the rest should break their covenant made to that man, which is injustice. And they have also every man given the sovereignty to him that beareth their person; and therefore if they depose him, they take from him that which is his own, and so again it is injustice. Besides, if he that attempteth to depose his sovereign be killed, or punished by him for such attempt, he is author of his own punishment, as being, by the institution, author of all his sovereign shall do; and because it is injustice for a man to do anything for which he may be punished by his own authority, he is also, upon that title, unjust.

And whereas some men have pretended for their disobedience to their sovereign a new covenant, made (not with men, but) with God, this also is unjust; for there is no covenant with God but by mediation of somebody that representeth God's person, which none doth but God's lieutenant, who hath the sovereignty under God.<sup>3</sup> But this pretence of covenant with God is so evident a lie, even in the pretenders' own consciences, that it is not only an act of an unjust, but also of a vile and unmanly disposition.

[4] Secondly, because the right of bearing the person of them all is given to him they make sovereign by covenant only of one to another, and not of him to any of them, there can happen no breach of covenant on the part of the sovereign; and consequently none of his subjects, by any pretence of forfeiture, can be freed from his subjection.

II. Sovereign Power cannot be forfeited.

That he which is made sovereign maketh no covenant with his subjects beforehand is manifest, because either he must make it with the whole multitude, as one party to the covenant, or he must make a several\* covenant with every man. With the whole, as one party, it is impossible, because as yet they are not one person; and if he make so many several covenants as there be men, those covenants after he hath the sovereignty are void, because what act soever can be pretended by any one of them for breach thereof is the act both of himself and of all the rest, because done in the person and by the right of every one of them in particular.

Besides, if any one (or more) of them pretend a breach of the covenant made by the sovereign at his institution, and others (or one other) of his subjects (or himself alone) pretend there was no such breach, there is in this case no judge to decide the controversy; it returns therefore to the

3. Cf. xiv, 23, and the note thereto.

sword again; and every man recovereth the right of protecting himself by his own strength, contrary to the design they had in the institution. It is therefore in vain to grant sovereignty by way of precedent covenant.

The opinion that any monarch receiveth his power by covenant, that is to say, on condition, proceedeth from want of understanding this easy truth, that covenants, being but words and breath, have no force to oblige, contain, constrain, or protect any man, but what it has from the public sword, that is, from the untied hands of that man or assembly of men that hath the sovereignty, and whose actions are avouched by them all, and performed by the strength of them all, in him united. But when an assembly of men is made sovereign, then no man imagineth any such covenant to have passed in the institution; for no man is so dull as to say, for example, the people of *Rome* made a covenant with the Romans, to hold the sovereignty on such or such conditions, which not performed, the Romans might lawfully depose the Roman people. That men see not the reason to be alike in a monarchy and in a popular government proceedeth from the ambition of some that are kinder to the government of an assembly, whereof they may hope to participate, than of monarchy, which they despair to enjoy.

III. No man can without injustice protest against the Institution of the Sovereign declared by the major part.

[5] Thirdly, because the major part hath by consenting voices declared a sovereign, he that dissented must now consent with the rest, that is, be contented to avow all the actions he shall do, or else justly be destroyed by the rest. For if he voluntarily entered into the congregation of them that were assembled, he sufficiently declared thereby his will (and therefore tacitly covenanted) to stand to what the major part should ordain; and therefore, if he refuse to stand thereto, or make protestation against any of their decrees, he does contrary to his covenant, and therefore unjustly. And whether he be of the congregation or not, and whether his consent be asked or not, he must either submit to their decrees or be left in the condition of war he was in before, wherein he might without injustice be destroyed by any man whatsoever.

IV. The Sovereign's Actions cannot be justly accused by the Subject.

[6] Fourthly, because every subject is by this institution author of all the actions and judgments of the sovereign instituted, it follows that, whatsoever he doth, it can be no injury to any of his subjects, nor ought he to be by any of them accused of injustice. For he that doth anything by authority from another doth therein no injury to him by whose authority he acteth; but by this institution of a commonwealth every particular man is author of all the sovereign doth; and consequently he that complaineth of injury from his sovereign complaineth of that whereof he himself is author, and therefore ought not to accuse any man but himself; no nor himself of injury, because to do injury to one's self

is impossible. \*It is true that they that have sovereign power may commit iniquity, but not injustice, or injury in the proper signification.<sup>4</sup>

[7] Fifthly, and consequently to that which was said last, no man that hath sovereign power can justly be put to death, or otherwise in any manner by his subjects punished. For seeing every subject is author of the actions of his sovereign, he punisheth another for the actions committed by himself.

V. Whatsoever the Sovereign doth is unpunishable by the Subject.

[8] And because the end of this institution is the peace and defence of them all, and whosoever has right to the end has right to the means, it belongeth of right to whatsoever man or assembly that hath the sovereignty, to be judge both of the means of peace and defence, and also of the hindrances and disturbances of the same, and to do whatsoever he shall think necessary to be done, both beforehand (for the preserving of peace and security, by prevention of discord at home and hostility from abroad) and, when peace and security are lost, for the recovery of the same. And therefore,

VI. The Sovereign is judge of what is necessary for the Peace and Defence of his Subjects.

[9] Sixthly,<sup>5</sup> it is annexed to the sovereignty to be judge of what opinions and doctrines are averse, and what conducing, to peace; and consequently, on what occasions, how far, and what men are to be trusted withal, in speaking to multitudes of people, and who shall examine the doctrines of all books before they be published. For the actions of men proceed from their opinions, and in the well-governing of opinions consisteth the well-governing of men's actions, in order to their peace and concord. And though in matter of doctrine nothing ought to be regarded but the truth, yet this is not repugnant to regulating of the same by peace. For doctrine repugnant to peace can no more be true than peace and concord can be against the law of nature. It is true that in a commonwealth where (by the negligence or unskilfulness of governors and teachers) false doctrines are by time generally received, the contrary truths may be generally offensive. Yet the most sudden and rough bustling in of a new truth that can be does never break the peace, but only sometimes awake the war. For those men that are so remissly governed that they dare take up arms to defend or introduce an opinion are still in war, and their condition not peace, but only a cessation of arms for fear of one another; and they live, as it were, in the precincts of battle continually. It belongeth therefore to him that hath the sovereign power to be judge (or constitute\* all judges)

And Judge of what Doctrines are fit to be taught them

4. OL: "That he who has the supreme power can act inequitably, I have not denied. For what is done contrary to the law of nature is called inequitable; what is done contrary to the civil law, unjust. For just and unjust were nothing before the state was constituted."

5. The marginal summaries suggest that we might better regard ¶8 as stating the sixth right of the sovereign (with ¶9 making explicit one of its implications).

of opinions and doctrines, as a thing necessary to peace, thereby to prevent discord and civil war.

[10] Seventhly, is annexed to the sovereignty the whole power of prescribing the rules whereby every man may know what goods he may enjoy, and what actions he may do, without being molested\* by any of his fellow-subjects; and this is it men call propriety. For before constitution of sovereign power (as hath already been shown) all men had right to all things, which necessarily causeth war;<sup>6</sup> and therefore, this propriety, being necessary to peace, and depending on sovereign power, is the act of that power, in order to the public peace. These rules of

VII. The Right of making Rules, whereby the Subjects may every man know what is so his own, as no other Subject can without injustice take it from him.

propriety (or *meum* and *tuum*) and of *good, evil, lawful, and unlawful* in the actions of subjects are the civil laws; that is to say, the laws of each commonwealth in particular (though the name of civil law be now restrained\* to the ancient civil laws of the city of *Rome*, which being the head of a great part of the world, her laws at that time were in these parts the civil law).

VIII. To him also belongeth the Right of all Judicature and decision of Controversies.

[11] Eighthly, is annexed to the sovereignty the right of judicature, that is to say, of hearing and deciding all controversies which may arise concerning law (either civil or natural) or concerning fact. For without the decision of controversies there is no protection of one subject against the injuries of another, the laws concerning *meum* and *tuum* are in vain, and to every man remaineth, from the natural and necessary appetite of his own conservation, the right of protecting himself by his private strength, which is the condition of war, and contrary to the end for which every commonwealth is instituted.

IX. And of making War, and Peace, as he shall think best.

[12] Ninthly, is annexed to the sovereignty the right of making war and peace with other nations and commonwealths, that is to say, of judging when it is for the public good, and how great forces are to be assembled, armed, and paid for that end, and to levy money upon the subjects to defray the expenses thereof. For the power by which the people are to be defended consisteth in their armies; and the strength of an army, in the union of their strength under one command; which command the sovereign instituted therefore hath, because the command of the *militia*, without other institution, maketh him that hath it sovereign. And therefore, whosoever is made general of an army, he that hath the sovereign power is always generalissimo.\*

X. And of choosing all Counsellours and Ministers, both of Peace and War.

[13] Tenthly, is annexed to the sovereignty the choosing of all counsellors, ministers, magistrates, and officers, both in peace and war. For seeing the sovereign is charged with the

6. Note that here Hobbes presents the right of all to all as a cause, rather than a consequence, of the war of all against all. Cf. xiii, 13.

end, which is the common peace and defence, he is understood to have power to use such means as he shall think most fit for his discharge.

[14] Eleventhly, to the sovereign is committed the power of rewarding with riches or honour, and of punishing with corporal or pecuniary punishment or with ignominy,\* every subject according to the law he hath formerly made (or if there be no law made, according as he shall judge most to conduce to the encouraging of men to serve the commonwealth, or deterring of them from doing disservice to the same).

XI. And of Rewarding, Punishing, and that (where no former Law hath determined the measure of it) arbitrary.

[15] Lastly, considering what values men are naturally apt to set upon themselves, what respect they look for from others, and how little they value other men, from whence continually arise amongst them emulation, quarrels, factions, and at last war, to the destroying of one another, and diminution of their strength against a common enemy, it is necessary that there be laws of honour and a public rate\* of the worth of such men as have deserved (or are able to deserve) well of the commonwealth, and that there be force in the hands of some or other to put those laws in execution. But it hath already been shown that not only the whole *militia*, or forces of the commonwealth, but also the judicature of all controversies is annexed to the sovereignty. To the sovereign therefore it belongeth also to give titles of honour, and to appoint what order of place and dignity each man shall hold, and what signs of respect, in public or private meetings, they shall give to one another.

XII. And of Honour and Order.

[16]\* These are the rights which make the essence of sovereignty, and which are the marks whereby a man may discern in what man, or assembly of men, the sovereign power is placed and resideth. For these are incommunicable\* and inseparable. The power to coin money, to dispose of the estate and persons of infant heirs, to have preemption\* in markets, and all other statute prerogatives may be transferred by the sovereign, and yet the power to protect his subjects be retained. But if he transfer the *militia*, he retains the judicature in vain, for want of execution of the laws; or if he grant away the power of raising money, the *militia* is in vain; or if he give away the government of doctrines, men will be frighted into rebellion with the fear of spirits. And so if we consider any one of the said rights, we shall presently see, that the holding of all the rest will produce no effect, in the conservation of peace and justice, the end for which all commonwealths are instituted. And this division is it, whereof it is said *a kingdom divided in itself cannot stand*;<sup>7</sup> for unless this division precede, division into opposite armies can never happen. If there had not first been an opinion received of the greatest part of *England*, that these powers were

These Rights are indivisible.

7. Cf. Matthew 12:25, Mark 3:24, Luke 11:17.

divided between the King, and the Lords, and the House of Commons, the people had never been divided and fallen into this civil war, first between those that disagreed in politics, and after between the dissenters about the liberty of religion,<sup>8</sup> which have so instructed men in this point of sovereign right that there be few now (in *England*) that do not see that these rights are inseparable, and will be so generally acknowledged at the next return of peace; and so continue, till their miseries are forgotten, and no longer, except the vulgar be better taught than they have hitherto been.<sup>9</sup>

[17] And because they are essential and inseparable rights, it follows necessarily that in whatsoever words any of them seem to be granted away, yet if the sovereign power itself be not in direct terms renounced, and the name of sovereign no more given by the grantees to him that grants them, the grant is void; for when he has granted all he can, if we grant back the sovereignty, all is restored, as inseparably annexed thereunto.

[18] This great authority being indivisible, and inseparably annexed to the sovereignty, there is little ground for the opinion of them that say of sovereign kings, though they be *singulis majores*, of greater power than every one of their subjects, yet they be *universis minores*, of less power than them all together. For if by *all together* they mean not the collective body as one person, then *all together*, and *every one*, signify the same; and the speech is absurd. But if by *all together* they understand them as one person (which person the sovereign bears), then the power of all together is the same with the sovereign's power; and so again the speech is absurd; which absurdity they see well enough when the sovereignty is in an assembly of the people; but in a

*And can by no Grant pass away without direct renouncing of the Sovereign Power.*

*The Power and Honour of Subjects vanisheth in the presence of the Power Sovereign.*

8. From "those that disagreed in politics . . ." the scribal ms. reads: "the temporal factions of parliamentarians and royalists, by the name of Roundheads and Cavaliers, and since between the doctrinal factions of presbyterians and independents."

9. OL: "And these are the principal rights of the sovereign, as has been fully demonstrated here, and as can be more briefly demonstrated in this one argument. For no one will deny that all these are rights of the commonwealth. But the commonwealth can neither act nor speak except through its person, i.e., him who has the supreme power. All these rights, then, belong to him who in the commonwealth has the supreme power, whether he is a man or an assembly of men. There are other lesser rights belonging to the sovereign, which differ in different commonwealths and can be lost without the power of protecting the citizens being lost. Such rights can be transferred to private citizens. But those greater rights which we have enumerated cannot be transferred. For if the right of the militia is lost, the right of judging will be in vain, because of the lack of power. If the right of raising money is lost, there will be no soldiers. If the right of regulating doctrines is lost,

monarch they see it not; and yet the power of sovereignty is the same in whomsoever it be placed.

[19] And as the power, so also the honour of the sovereign ought to be greater than that of any or all the subjects. For in the sovereignty is the fountain of honour. The dignities of lord, earl, duke, and prince are his creatures. As in the presence of the master, the servants are equal, and without any honour at all, so are the subjects in the presence of the sovereign. And though they shine, some more, some less, when they are out of his sight, yet in his presence they shine no more than the stars in [the] presence of the sun.

[20] But a man may here object that the condition of subjects is very miserable, as being obnoxious to the lusts and other irregular passions of him or them that have so unlimited a power in their hands. And commonly, they that live under a monarch think it the fault of monarchy, and they that live under the government of democracy or other sovereign assembly attribute all the inconvenience to that form of commonwealth (whereas the power in all forms, if they be perfect\* enough to protect them, is the same), not considering that the estate of man can never be without some incommmodity\* or other, and that the greatest that in any form of government can possibly happen to the people in general is scarce sensible, in respect\* of the miseries and horrible calamities that accompany a civil war (or that dissolute condition of masterless men, without subjection to laws and a coercive power to tie their hands from rapine\* and revenge), nor considering that the greatest pressure\* of sovereign governors proceedeth not from any delight or profit they can expect in the damage or weakening

*Sovereign Power not so hurtful as the want of it, and the hurt proceeds for the greatest part from not submitting readily to a less.*

superstitious citizens will be stirred to rebellion by their own fancies. In sum, if any one of these rights is lacking, all the others will cease, and there will be that division of which Christ himself said, *a kingdom divided against itself cannot stand*. For without an antecedent division of these rights, there will be no division of the people into opposed armies. The opinion of those who taught that the rights of the kingdom of England were divided between the King, the Lords, and the House of Commons, was the cause of the civil war which followed, as also the controversies on political and religious questions, by which, however, the people has now been so instructed concerning the royal right, that there are few now in England, I think, who do not see that the aforesaid rights are inseparable, and they will be publicly recognized as soon as peace has returned, and as long as the memory of past calamities remains, but no longer, unless the people are better instructed." Tricaud notes that OL's version of this passage seems more appropriate to the political circumstances of the late 40s and early 50s than to the time of its publication in 1668, when peace had been restored.

of their subjects (in whose vigour consisteth their own strength and glory), but in the restiveness of themselves that, unwillingly contributing to their own defence, make it necessary for their governors to draw from them what they can in time of peace, that they may have means on any emergent occasion, or sudden need, to resist or take advantage on their enemies. For all men are by nature provided of notable multiplying\* glasses (that is their passions and self-love), through which every little payment appeareth a great grievance, but are destitute of those prospective glasses (namely moral and civil science), to see afar off the miseries that hang over them, and cannot without such payments be avoided.

## CHAPTER XIX

### *Of the Several Kinds of COMMONWEALTH by Institution and of Succession to the Sovereign Power*

[1] The difference of commonwealths consisteth in the difference of the sovereign, or the person representative of all and every one of the multitude. And because the sovereignty is either in one man or in an assembly of more than one, and into that assembly either every man hath right to enter or not every one (but certain men distinguished from the rest), it is manifest there can be but three kinds of commonwealth. For the representative must needs be one man or more; and if more, then it is the assembly of all or but of a part. When the representative is one man, then is the commonwealth a MONARCHY; when an assembly of all that will come together, then it is a DEMOCRACY, or popular commonwealth; when an assembly of a part only, then it is called an ARISTOCRACY. Other kind of commonwealth there can be none: for either one or more or all must have the sovereign power (which I have shown to be indivisible) entire.

*The different Forms of Commonwealths but three.*

*Tyranny and Oligarchy, but different names of Monarchy, and Aristocracy.*

[2] There be other names of government in the histories and books of policy\* (as *tyranny* and *oligarchy*).<sup>1</sup> But they are not the names of other forms of government, but of the same forms misliked. For they that are discontented under *monar-*

1. Among the writers Hobbes is criticizing here would be Aristotle (*Politics* III, vii) and Polybius (*Histories* VI, iii-ix).

*chy* call it *tyranny*; and they that are displeased with *aristocracy* call it *oligarchy*; so also, they which find themselves grieved under a *democracy* call it *anarchy* (which signifies want of government); and yet I think no man believes that want of government is any new kind of government; nor by the same reason ought they to believe that the government is of one kind when they like it, and another when they dislike it or are oppressed by the governors.

[3] It is manifest that men who are in absolute liberty may, if they please, give authority to one man to represent them every one, as well as give such authority to any assembly of men whatsoever; and consequently may subject themselves, if they think good, to a monarch as absolutely as to any other representative. Therefore, where there is already erected a sovereign power, there can be no other representative of the same people, but only to certain particular ends, by the sovereign limited. For that were to erect two sovereigns, and every man to have his person represented by two actors that by opposing one another must needs divide that power which (if men will live in peace) is indivisible, and thereby reduce the multitude into the condition of war, contrary to the end for which all sovereignty is instituted. And therefore, as it is absurd to think that a sovereign assembly, inviting the people of their dominion to send up their deputies with power to make known their advice or desires, should therefore hold such deputies (rather than themselves) for the absolute representative of the people, so it is absurd also to think the same in a monarchy. And I know not how this, so manifest a truth, should of late be so little observed that in a monarchy, he that had the sovereignty from a descent of 600 years, was alone called sovereign, had the title of Majesty from every one of his subjects, and was unquestionably taken by them for their king, was notwithstanding never considered as their representative, that name without contradiction passing for the title of those men which at his command were sent up by the people to carry their petitions, and give him (if he permitted it) their advice.<sup>2</sup> Which may serve as an admonition for those that are the true and absolute representative of a people, to instruct men in the nature of that office, and to take heed how they admit of any other

*Subordinate Representatives dangerous.*

2. Tricaud points out that the claim of a six hundred years' succession is an exaggeration if Hobbes is reckoning from the Norman Conquest of 1066 even to the end of Charles I's reign in 1649. But if (as Tricaud suggests) Hobbes is dating the beginning of the monarchy from the reign of Edward the Confessor (1042-1066), then (as Sommerville points out in correspondence) (a) it is difficult to see why he does not go back further than Edward, and (b) it is awkward that he later says that William acquired his throne by conquest (e.g., in xxiv, 6). A similar passage in *Behemoth* (p. 1 in Holmes) raises similar questions.

decease of his predecessor, invested in the right of being monarch.

[21] But where testament and express words are wanting, other natural signs of the will are to be followed, whereof the one is custom. And, therefore, where the custom is that the next of kindred absolutely succeedeth, there also the next of kindred hath right to the succession, for that, if the will of him that was in possession had been otherwise, he might easily have declared the same in his life time. And likewise where the custom is that the next of the male kindred succeedeth, there also the right of succession is in the next of the kindred male for the same reason. And so it is if the custom were to advance the female. For whatsoever custom a man may by a word control, and does not, it is a natural sign he would have that custom stand.

[22] But where neither custom nor testament hath preceded, there it is to be understood, first, that a monarch's will is that the government remain monarchical, because he hath approved that government in himself. Secondly, that a child of his own, male or female, be preferred before any other, because men are presumed to be more inclined by nature to advance their own children than the children of other men; and of their own, rather a male than a female, because men are naturally fitter than women for actions of labour and danger. Thirdly, where his own issue faileth, rather a brother than a stranger; and so still,\* the nearer in blood rather than the more remote, because it is always presumed that the nearer of kin is the nearer in affection; and it is evident that a man receives always, by reflection, the most honour from the greatness of his nearest kindred.

[23] But if it be lawful for a monarch to dispose of the succession by words of contract or testament, men may perhaps object a great inconvenience: for he may sell or give his right of governing to a stranger, which, because strangers (that is, men not used to live under the same government, nor speaking the same language) do commonly undervalue one another, may turn to the oppression of his subjects; which is indeed a great inconvenience; but it proceedeth not necessarily from the subjection to a stranger's government, but \*from the unskilfulness of the governors, ignorant of the true rules of politics.<sup>10</sup> And therefore the Romans, when they had subdued many nations, to make their government digestible were wont to take away that grievance as much as they thought necessary by giving, sometimes to whole nations and sometimes to principal men of every nation they conquered, not only the

10. OL: "either from the ruler's lack of skill or from the stubbornness of the citizens, some of whom are unwilling to endure the customs of the others, as would be equitable."

privileges but also the name of Romans, and took many of them into the senate and offices of charge, even in the Roman city. And this was it our most wise king, king *James*, aimed at, in endeavouring the union of his two realms of *England* and *Scotland*. \*Which, if he could have obtained, had in all likelihood prevented the civil wars which make both those kingdoms, at this present, miserable.<sup>11</sup>

It is not, therefore, any injury to the people for a monarch to \*dispose of the succession by will, though by the fault of many princes it hath been sometimes found inconvenient.<sup>12</sup> Of the lawfulness of it, this also is an argument: that whatsoever inconvenience can arrive by giving a kingdom to a stranger may arrive also by so marrying with strangers, as the right of succession may descend upon them; yet this by all men is accounted lawful.

## CHAPTER XX

## Of Dominion PATERNAL and DESPOTICAL

[1] A *commonwealth by acquisition* is that where the sovereign power is acquired by force; and it is acquired by force when men singly (or many together by plurality\* of voices) for fear of death or bonds do authorize all the actions of that man or assembly that hath their lives and liberty in his power.

A Commonwealth by Acquisition.

[2] And this kind of dominion or sovereignty differeth from sovereignty by institution only in this, that men who choose their sovereign do it for fear of one another, and not of him whom they institute; but in this case they subject themselves to him they are afraid of. In both cases they do it for fear, which is to be noted by them that hold all such covenants as proceed from fear of death or violence void; which, if it were true, no man in any kind of commonwealth could be obliged to obedience. It is true that in a commonwealth \*once instituted or acquired, promises proceeding from fear of death or violence are no covenants, nor obliging, when the thing promised is contrary to the laws;<sup>1</sup> but

Wherein differeth from a Commonwealth by Institution

11. OL: "If he had accomplished this, it does not seem that the civil war which makes each country wretched, could have occurred." As Tricaud suggests, OL's use of the present tense would be odd in a text written in the late 1660s.

12. OL: "make a foreigner his successor, though inconvenience does sometimes come from that, through the fault either of the rulers or of their citizens."

1. OL: "where force is prohibited and the laws command robbery to be reported, promises extorted by fear are invalid."

the reason is not, because it was made upon fear, but because he that promiseth hath no right in the thing promised. Also, when he may lawfully perform and doth not, it is not the invalidity of the covenant that absolveth him, but the sentence\* of the sovereign. Otherwise, \*whensoever a man lawfully promiseth, he unlawfully breaketh; but when the sovereign, who is the actor, acquitteth him, then he is acquitted by him that extorted the promise, as by the author of such absolution.<sup>2</sup>

[3] But the rights and consequences of sovereignty are the same in both.

*The Rights of  
Sovereignty the  
same in both.*

His power cannot, without his consent, be transferred to another; he cannot forfeit it; he cannot be accused by any of his subjects of injury; he cannot be punished by them; he is judge of what is necessary for peace, and judge of doctrines; he is sole legislator, and supreme judge of controversies, and of the times and occasions of war and peace; to him it belongeth to choose magistrates, counsellors, commanders, and all other officers and ministers, and to determine of rewards and punishments, honour and order. The reasons whereof are the same which are alleged in the precedent chapter<sup>3</sup> for the same rights and consequences of sovereignty by institution.

[4] Dominion is acquired two ways: by generation and by conquest.

*Dominion Paternal  
how attained.*

The right of dominion by generation is that which the parent hath over his children, and is called PATERNAL. And is not so derived from the generation as if therefore the parent had dominion over his child because he begat him, but from the child's consent, either express or by other sufficient arguments declared.<sup>4</sup>

*Not by Generation,  
but by Contract;*

For as to the generation, God hath ordained to man a helper, and there be always two that are equally parents; the dominion therefore over the child should belong equally to both, and he be equally subject to both, which is impossible; for no man can obey two masters. And whereas some have attributed the dominion to the man only, as being of the more excellent sex,<sup>5</sup> they misreckon in it. For there is not always that difference of strength or prudence between the man and the woman as that the right can be determined without war. In commonwealths this controversy is decided by the civil law, and for the most part (but not always) the sentence

2. OL: "it is universally true that a promise lawfully made is unlawfully broken."

3. This seems to be a reference to ch. xviii, not xix. Similarly in ¶14. But in ¶9 "the precedent chapter" seems to refer to ch. xix.

4. Grotius contends that parents acquire a right over their children simply by generation in *De jure belli ac pacis*, II, v, 1-7. A requirement that the child consent will be difficult to reconcile with the child's immaturity in its earliest years.

5. Cf. Aristotle, *Politics* I, xii; Aquinas, *Summa theologiae*, Supp., qu. 81, art. 3, ad 1; *Summa contra gentiles* III, cxxiii, 3-4; and Grotius, *De jure belli*, II, v, 1.

is in favour of the father, because for the most part commonwealths have been erected by the fathers, not by the mothers of families.<sup>6</sup>

But the question lieth now in the state of mere nature, where there are supposed no laws of matrimony, no laws for the education of children, but the law of nature, and the natural inclination of the sexes, one to another, and to their children. In this condition of mere nature either the parents between themselves dispose of the dominion over the child by contract, or do not dispose thereof at all. If they dispose thereof, the right passeth according to the contract. We find in history<sup>7</sup> that the *Amazons* contracted with the men of the neighbouring countries, to whom they had recourse for issue, that the issue male should be sent back, but the female remain with themselves, so that the dominion of the females was in the mother.

[5] If there be no contract, the dominion is in the mother. For in the condition of mere nature, where there are no matrimonial laws, it cannot be known who is the father unless it be declared by the mother; and therefore the right of dominion over the child dependeth on her will, and is consequently hers. Again, seeing the infant is first in the power of the mother, so as she may either nourish or expose it, if she nourish it, it oweth its life to the mother, and is therefore obliged to obey her rather than any other,<sup>8</sup> and by consequence the dominion over it is hers. But if she expose

*Or Education.*

6. Hobbes' discussion of women has received much attention recently. See, for example, Carole Pateman, *The Sexual Contract* (Stanford UP, 1988) and Susan Moller Okin, *Women in Western Political Thought* (Princeton UP, 1979). It may be an exaggeration to represent Hobbes as holding that there is no difference between men and women in strength or prudence. (Pateman, p. 44) But he does seem here to hold that there are no general differences between them sufficient to justify the subordination of women to men. (In his earlier works, cf. EL II, iv, 2; DCv ix, 3.) This is in line with his view that there is no dominion in the state of nature (xiii, 13). But there are, surprisingly, numerous passages in Hobbes which suggest more patriarchalist views (e.g., xix, 22; xx, 15; xxii, 26; xxv, 9; xxx, 11). Apparently to explain these, Pateman holds that in the natural state all women become servants and are excluded both from the original pact and from politics generally. This seems hard to reconcile with Hobbes' acceptance of women as sovereigns (e.g., below in ¶¶6-7, and a very interesting passage from the Latin *Leviathan*, xlii, 78a).

7. The Amazons are now regarded as a mythical nation of women warriors (cf. William Blake Tyrrell, *Amazons: a study in Athenian mythmaking*); but Hobbes might have found stories of this kind presented as history in such classical sources as Quintus Curtius' *History of Alexander*, VI, 24-32.

8. This seems to be a case where receipt of a benefit, independently of any voluntary act of the recipient, gives rise to an obligation in the recipient, contrary to the doctrine of xxi, 10. As the paragraph continues, Hobbes suggests a doctrine of hypothetical consent: though the infant is unable to actually give consent, consent is presumed because of the importance of the end to adult humans.

it, and another find and nourish it, the dominion is in him that nourisheth it. For it ought to obey him by whom it is preserved, because preservation of life being the end for which one man becomes subject to another, every man is supposed to promise obedience to him in whose power it is to save or destroy him.

[6] If the mother be the father's subject, the child is in the father's power; and if the father be the mother's subject (as when a sovereign queen marieth one of her subjects),<sup>9</sup> the child is subject to the mother, because the father also is her subject.

*Or Precedent  
subjection one of the  
Parents to the other.*

[7] If a man and woman, monarchs of two several kingdoms, have a child, and contract concerning who shall have the dominion of him, the right of the dominion passeth by the contract. If they contract not, the dominion followeth the dominion of the place of his [sc. the child's] residence. For the sovereign of each country hath dominion over all that reside therein.<sup>10</sup>

[8] He that hath the dominion over the child hath dominion also over the children of the child, and over their children's children. For he that hath dominion over the person of a man hath dominion over all that is his, without which dominion were but a title, without the effect.

*The Right of Succession  
follows the Rules of the  
Right of Possession.*

[9] The right of succession to paternal dominion proceedeth in the same manner as doth the right of succession to monarchy, of which I have already sufficiently spoken in the precedent chapter.

[10] Dominion acquired by conquest, or victory in war, is that which some writers call DESPOTICAL, from *despotes*, which signifieth a lord or master, and is the dominion of the master over his servant.

*Despotic Dominion  
how attained.*

And this dominion is then acquired to the victor when the vanquished, to avoid the present stroke of death, covenanteth either in express words, or by other sufficient signs of the will, that so long as his life and the liberty of his body is allowed him, the victor shall have the use thereof, at his pleasure. And after such covenant made, the vanquished is a SERVANT, and not before; for by the word *servant* (whether it be derived from *servire*, to serve, or from *servare*, to save, which I leave to grammarians to dispute)

9. Not only was Hobbes born in the reign of Elizabeth I, who declined to marry (perhaps because she feared her independence would not survive that step), he also lived through the reigns of three Stuart kings who descended from the marriage of Mary Queen of Scotland with one of her subjects.

10. In 1554 Mary Tudor (Queen of England from 1553 to 1558) married Philip of Spain, who became Philip II, King of Spain, in 1556. So for two years the Queen of England was the wife of the King of Spain. But they had no children. Philip also proposed marriage to Elizabeth.

is not meant a captive (which is kept in prison or bonds till the owner of him that took him, or bought him of one that did, shall consider what to do with him; for such men, commonly called slaves, have no obligation at all, but may break their bonds or the prison, and kill or carry away captive their master, justly), but one that, being taken, hath corporal liberty allowed him, and upon promise not to run away, nor to do violence to his master, is trusted by him.

[11] It is not therefore the victory that giveth the right of dominion over the vanquished, but his own covenant. Nor is he obliged because he is conquered (that is to say, beaten, and taken or put to flight), but because he cometh in, and submitteth to the victor; nor is the victor obliged by an enemy's rendering himself (without promise of life) to spare him for this his yielding to discretion,\* which obliges not the victor longer than in his own discretion he shall think fit.

*Not by the Victory  
but by the Consen-  
se of the Vanquished*

[12] And that which men do, when they demand (as it is now called) *quarter* (which the Greeks called *zogria*, *taking alive*) is to evade the present fury of the victor by submission, and to compound for their life with ransom or service; and therefore he that hath quarter hath not his life given, but deferred till farther deliberation; for it is not an yielding on condition of life, but to discretion. And then only is his life in security, and his service due, when the victor hath trusted him with his corporal liberty. For slaves that work in prisons, or fetters, do it not of duty, but to avoid the cruelty of their task-masters.

[13] The master of the servant is master also of all he hath, and may exact the use thereof; that is to say, of his goods, of his labour, of his servants, and of his children, as often as he shall think fit. For he holdeth his life of his master, by the covenant of obedience, that is, of owning and authorizing whatsoever the master shall do. And in case the master, if he refuse, kill him, or cast him into bonds, or otherwise punish him for his disobedience, he is himself the author of the same, and cannot accuse him of injury.

[14] In sum, the rights and consequences of both *paternal* and *despotic* dominion are the very same with those of a sovereign by institution, and for the same reasons, which reasons are set down in the precedent chapter.<sup>11</sup> So that for a man that is monarch of divers nations, whereof he hath, in one the sovereignty by institution of the people assembled, and in another by conquest (that is by the submission of each particular, to avoid death or bonds), to demand of one nation more than of the other from the title of conquest, as being a conquered nation, is an act of ignorance of the rights of sovereignty. For the sovereign is absolute over both alike, or else there is no sovereignty at all (and so every man may lawfully protect him-

11. I.e., ch. xviii, not ch. xix. Cf. above, n.3.

self, if he can, with his own sword, which is the condition of war).

*Difference between  
a Family and a  
Kingdom.*

[15] By this it appears that a great family, if it be not part of some commonwealth, is of itself (as to the rights of sovereignty) a little monarchy (whether that family consist of a man and his children, or of a man and his servants, or of a man and his children and servants together) wherein the father or master is the sovereign. But yet a family is not properly a commonwealth unless it be of that power (by its own number or by other opportunities) as not to be subdued without the hazard of war. For where a number of men are manifestly too weak to defend themselves united, every one may use his own reason in time of danger to save his own life, either by flight or by submission to the enemy, as he shall think best, in the same manner as a very small company of soldiers, surprised by an army, may cast down their arms, and demand quarter or run away, rather than be put to the sword. And thus much shall suffice concerning what I find by speculation, and deduction, of sovereign rights, from the nature, need, and designs of men in erecting of commonwealths, and putting themselves under monarchs or assemblies, entrusted with power enough for their protection.

*The Rights of  
Monarchy from  
Scripture.*

[16] Let us now consider what the Scripture teacheth in the same point. To *Moses* the children of Israel say thus: "Speak thou to us, and we will hear thee; but let not God speak to us, lest we die." (Exod. 20:19.) This is absolute obedience to *Moses*. Concerning the right of kings, God himself, by the mouth of Samuel, saith:

This shall be the right of the king<sup>12</sup> you will have to reign over you. He shall take your sons, and set them to drive his chariots, and to be his horsemen, and to run before his chariots [ . . . ] and gather in his harvest, and to make his engines of war and instruments of his chariots; and shall take your daughters to make perfumes, to be his cooks and bakers. He shall take your fields, your vine-yards, and your olive-yards [even the best of them] and give them to his servants. He shall take the tithe of your corn and wine, and give it to the men of his chamber and to his other servants. He shall take your man-servants, and your

12. The King James Version here reads "the manner of the king" and more recent translations tend to have something equivalent (cf. RSV, NRSV). But apparently the Hebrew [*mishpat ha-melek*] can mean "the rights of the king." Cf. *The Interpreter's Bible* II, 920–22. Calvin uses the term *jus* in citing this text in his *Institutes* IV, xx, 26. But the translation and interpretation of this passage were controversial in Hobbes' day. Cf. Languet, *A Defense of Liberty*, pp. 172–74, Grotius, *De jure belli* I, iv, 3, and Milton, *Political Writings*, ed. by Martin Dzelzainis, Cambridge UP, 1991, pp. 13–14, 85.

maid-servants, and the choice of your youth[, and your asses], and employ them in his business. He shall take the tithe of your flocks; and you shall be his servants.<sup>13</sup>

This is absolute power, and summed up in the last words "you shall be his servants." Again, when the people heard what power their king was to have, yet they consented thereto, and say thus "we will be as all other nations, and our king shall judge our causes, and go before us, to conduct our wars." (verse 19) Here is confirmed the right that sovereigns have, both to the *militia* and to all *judicature*, in which is contained as absolute power as one man can possibly transfer to another. Again, the prayer of king *Solomon* to God was this: "Give to thy servant understanding, to judge thy people, and to discern between good and evil." (1 Kings 3:9) It belongeth therefore to the sovereign to be *judge*, and to prescribe the rules of *discerning good and evil*, which rules are laws; and therefore in him is the legislative power.

*Saul* sought the life of *David*; yet when it was in his power to slay *Saul*, and his servants would have done it, *David* forbid them, saying "God forbid I should do such an act against my Lord, the anointed of God." (1 Sam. 24:[9]) For obedience of servants *St. Paul* saith "Servants obey your masters in all things,<sup>14</sup> and children obey your parents in all things." (Vs. 20) There is simple obedience in those that are subject to paternal or despotical dominion. Again, "The Scribes and Pharisees sit in *Moses* chair, and therefore all that they shall bid you observe, that observe and do." (Matt. 23:2, 3) There again is simple obedience. And *St. Paul* "Warn them that they subject themselves to princes, and to those that are in authority, and obey them." (Titus 3:[1]) This obedience is also simple.

Lastly, our Saviour himself acknowledges that men ought to pay such taxes as are by kings imposed, where he says "Give to Caesar that which is Caesar's,"<sup>15</sup> and paid such taxes himself. And that the king's word is suffi-

13. 1 Sam. 8:11–17. Modern translations (e.g., RSV, NRSV) translate the last line: "You shall be his slaves." Although Scripture represents God himself as speaking through Samuel in this enumeration of the "rights" of kings, Samuel is speaking to discourage the people from having a king. The sixteenth- and seventeenth-century debates about this passage are the subject of a recent monograph by Annette Weber-Mockl, *Das Recht des Königs, der über euch herrschen soll: Studien zu 1 Samuel 8, 11ff. in der Literatur der frühen Neuzeit*, Berlin, 1986.

14. Col. 3:22. Modern translations have "slaves" where Hobbes (and the KJV) has "servants."

15. Matt. 22:21 (= Mark 12:17, Luke 20:25). This verse, when quoted fully, is perhaps more commonly used to support a distinction between religious and secular authorities. Cf. Luther, *On Secular Authority*, ed. by Harro Höpfl, Cambridge UP, 1991, p. 28.

cient to take any thing from any subject when there is need (and that the king is judge of that need), for he himself, as king of the Jews,<sup>16</sup> commanded his disciples to take the ass and ass's colt to carry him into Jerusalem, saying

Go into the village over against you, and you shall find a she ass tied, and her colt with her; untie them, and bring them to me. And if any man ask you, what you mean by it, say the Lord hath need of them, and they will let them go. (Matt. 21:2, 3)

They will not ask whether his necessity be a sufficient title, nor whether he be judge of that necessity, but acquiesce in the will of the Lord.

[17] To these places may be added also that of *Genesis*: "Ye shall be as gods, knowing good and evil." (Genesis 3:5) And verse 11. "Who told thee that thou wast naked? hast thou eaten of the tree, of which I commanded thee thou shouldest not eat?" For the cognizance or judicature of *good* and *evil*, being forbidden by the name of the fruit of the tree of knowledge, as a trial of *Adam's* obedience, the devil to inflame the ambition of the woman, to whom that fruit already seemed beautiful, told her that by tasting it they should be as gods, knowing *good* and *evil*. Whereupon, having both eaten, they did indeed take upon them God's office, which is judicature of *good* and *evil*, but acquired no new ability to distinguish between them aright. And whereas it is said that, having eaten, they saw they were naked, no man hath so interpreted that place as if they had been formerly blind, and saw not their own skins; the meaning is plain, that it was then they first judged their nakedness (wherein it was God's will to create them) to be uncomely,\* and by being ashamed, did tacitly censure \*God himself.<sup>17</sup> And thereupon God saith *Hast thou eaten, &c.* as if he should say, doest thou

16. This would seem to imply that Jesus claimed to be the King of the Jews, though normally Hobbes prefers to emphasize Jesus' statement that his kingdom is not of this world. See the references to John 18:36 in the index.

17. OL: "God's work." Hobbes' account of the fall is puzzling: (a) he denies that Adam and Eve acquired a new ability to distinguish between good and evil, but (b) says that only after they ate of the tree did they judge their nakedness to be improper. (a) and (b) will be consistent only if their judgment after eating of the tree does not reflect a new ability to judge between good and evil (perhaps because nakedness is shameful, not inherently, but only if it is the violation of a divine command). This may be a consistent application of the doctrine Hobbes will advocate in xxxi, 5, but it seems a somewhat stretched interpretation of the biblical narrative.

that owest me obedience, take upon thee to judge of my commandments? Whereby it is clearly (though allegorically) signified that the commands of them that have the right to command are not by their subjects to be censured, nor disputed.<sup>18</sup>

[18] So that it appeareth plainly, to my understanding, both from reason and Scripture, that the sovereign power (whether placed in one man, as in monarchy, or in one assembly of men, as in popular and aristocratical commonwealths) is as great as possibly men can be imagined to make it. And though of so unlimited a power men may fancy many evil consequences, yet the consequences of the want of it, which is perpetual war of every man against his neighbour, are much worse. The condition of man in this life shall never be without inconveniences; but there happeneth in no commonwealth any great inconvenience, but what proceeds from the subject's disobedience and breach of those covenants from which the commonwealth hath its being. And whosoever, thinking sovereign power too great, will seek to make it less, must subject himself to the power that can limit it, that is to say, to a greater.

*Sovereign Power ought in all Commonwealths to be absolute.*

[19] The greatest objection is that of the practice, when men ask where and when such power has by subjects been acknowledged. \*But one may ask them again, when or where has there been a kingdom long free from sedition and civil war.<sup>19</sup> In those nations whose commonwealths have been long-lived, and not been destroyed but by foreign war, the subjects never did dispute of the sovereign power. But howsoever, an argument from the practice of men that have not sifted to the bottom, and with exact reason weighed the causes and nature of commonwealths, and suffer daily those miseries that proceed from the ignorance thereof, is invalid. For though in all places of the world men should lay the foundation of their houses on the sand, it could not thence be inferred, that so it ought to be. \*The skill of making and maintaining commonwealths consisteth in certain rules,<sup>20</sup> as doth arithmetic and geometry, not (as tennis-play) on practice only; which rules, neither poor men have the leisure, nor men that have had the leisure have hitherto had the curiosity or the method to find out.

18. Since Adam and Eve's censure of God was only tacit, the application of this doctrine to human sovereigns suggests that even silent disapproval of their actions will violate the subject's obligations (in apparent contradiction to the doctrine of xxxii, 5, and xl, 2).

19. OL: "But I ask them in turn where and when there has been a commonwealth free of sedition and civil war, where the power was not absolute."

20. OL: "The science of making and maintaining commonwealths has definite and infallible rules."