

## Material necessity

### 1 Hobbes

“When a man is destitute of food, or other thing necessary for his life, and cannot preserve himself any other way, but by some fact against the law; as if in a great famine he take the food by force, or stealth, which he cannot obtain for money, nor charity; or in defence of his life, snatch away another man’s sword, he is totally excused, for the reason next before alleged.” (*Leviathan*, 27.26)

### 2 Sir Matthew Hale

The poor laws should be suspended because otherwise “men’s properties would be under a strange insecurity, being laid open to other men’s necessities, whereof no man can possibly judge, but the party himself.” ... Some “very bad use hath been made of this concession by some Jesuitical casuists in France, who have thereupon advised apprentices and servants to rob their masters, when they have judged themselves in want of necessities ... and by this means let loose ... all the ligaments of property and civil society.”<sup>1</sup>

### 3 More generally

“The doctrine of necessity had been upheld in the works of continental writers like Covarruvias and Grotius and was at first sympathetically received by English moralists. During the course of the seventeenth century, however, the general attitude visibly hardened and the concessions to the poor were whittled down until Richard Baxter in his *Christian Directory* (1673) could assert that ‘ordinarily it is a duty, rather to dye, than take another man’s goods against his will’, on the ground that ‘in ordinary cases, the saving of a man’s life will not do so much good as his stealing will do hurt. Because the lives of ordinary persons are of no great

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<sup>1</sup> *Historia Placitorum Coronae* ... as quoted in Keith Thomas, “The Social Origins of Hobbes’s Political Thought,” in *Hobbes Studies*, ed. K.C. Brown (Oxford, Basil Blackwell, 1965), 225–26.

concernment to the common good. And the violation of the laws may encourage the poor to turn thieves, to the loss of the estates and lives of others.”<sup>2</sup>

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<sup>2</sup> Thomas, “The Social Origins of Hobbes’s Political Thought,” 226.