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# The puzzle of the sovereign's smile and the inner complexity of Hobbes's theory of authorisation

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## ABSTRACT



Hobbes's theory of authorisation poses numerous puzzles to scholars. The weightiest of these conundrums is a supposed contradiction between chapter 17 of *Leviathan*, that calls for unconditional submission to the sovereign, and chapter 21, that defends the liberties of the subject. This article offers a fresh perspective on the theory's consistency, function and addressees. While existing research doubts the theory's consistency, focuses on its immunisation function and on the subjects as the theory's main addressees, the paper argues that Hobbes's theory of authorisation is consistent with the doctrine of the liberty of subjects, and that it serves the dual purpose of immunising the sovereign against criticism *and* disciplining the sovereign via a counsel of *memento mori*: A hitherto underexplored element of authorisation theory is a reminder of the mortality of sovereignty directed at the sovereign to convince him to make restricted use of his absolute right to rule. Hobbes's theory of authorisation can thus be read as part of a complex argumentative strategy for peace, rooted in a 'liberal absolutism' which is not as paradoxical as it sounds, and which is reflected in the frontispiece by the friendly smile of the sovereign.

## KEYWORDS

*Leviathan*; authorisation; sovereign; liberty of the subject; liberalism; absolutism

## 1. Hobbes's complex strategies and the theory of authorisation in *Leviathan*

Thomas Hobbes employs diverse and complex strategies to communicate his arguments: Alongside the genre of the philosophical text, Thomas Hobbes – as Hoekstra has recently argued – made use of the translation of Greek historical texts to convey his doctrine.<sup>1</sup> Well known in Hobbes scholarship is also Hobbes's employment of visual strategies to communicate the core message of his teaching; many of his writings feature frontispieces that provide visual access to their central arguments.<sup>2</sup> The complexity in Hobbes' modus operandi as a philosopher invites the reader to take the language of visual imagery seriously. The frontispiece of *Leviathan*, Hobbes' most famous philosophical work, invites a variety of interpretations.<sup>3</sup> It shows, inter alia, a giant-sized human being composed of many individual human beings. A widespread view holds that this oversized man symbolises the state, for which Hobbes chooses the name of the biblical sea monster *Leviathan*. But how do many individual human beings become a state? How exactly are we to conceive of the nature of the relationship between this state and the individual human beings who have become subjects? And why does this terrible sea monster look at us not in a monstrous manner, but instead with an almost friendly smile?

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For answers to these questions, we may look to what is called Hobbes's theory of authorisation, the central focus of this article. In chapter 16 of *Leviathan's* English version, Hobbes expressly sets out a new theory of authorisation and authorship that does not occur in its predecessor writings, *Elements of Law* and *De Cive*. This new theory of authorisation provides the basis for the contractual formula that produces the state as articulated in chapter 17 of *Leviathan*. The contractual formula that emerges in *Leviathan* contains the following version of Hobbes's theory of authorisation:<sup>4</sup>

*I Authorise and give up my Right of Governing my selfe, to this Man, or to this Assembly of men, on this condition, that thou give up thy Right to him, and Authorise all his Actions in like manner.*<sup>5</sup>

The fact that this theory makes its first appearance in *Leviathan* has given rise to numerous speculations in Hobbes scholarship. One widely held view is a thesis of philosophical reparation that sees the elimination of systematic weaknesses in earlier writings as Hobbes's motive for introducing the theory of authorisation in *Leviathan*.<sup>6</sup> Other interpretations assume a primarily political or rhetorical strategy behind the theory's inclusion and suggest that it adds nothing new to *Leviathan's* content.<sup>7</sup> Still others caution against the one-sidedness of purely philosophical or purely contextualising interpretations and take the view that a combination of historical and philosophical factors prompted Hobbes to set out the theory.<sup>8</sup> Some authors favour a developmental thesis, which holds that Hobbes's earlier writings had advocated a theory of alienation which the theory of authorisation had supplemented and which therefore became redundant<sup>9</sup> or 'overdetermined'<sup>10</sup> once the new theory of authorisation had appeared in *Leviathan*.<sup>11</sup> Others assert that the theory does not represent Hobbes's unambiguous renunciation of earlier views and emphasise the closeness of his prior theory of representation to *Leviathan's* theory of authorisation.<sup>12</sup> A view which we could call a thesis of exceptionalism argues that the theory of authorisation is an exceptional phenomenon because it is absent from the Latin *Leviathan*,<sup>13</sup> whereas other authors reject this notion, stressing, not without good arguments, the continuity of the vocabulary of authorship and person that appears in the Latin version.<sup>14</sup>

In other words, there is considerable disagreement in Hobbes scholarship around what might have led Hobbes to develop and set out the theory of authorisation. Concerning the content and principal function of the authorisation theory there is less disagreement. The main content of the theory seems to be *unconditional* submission to the emerging sovereign: the subjects *give up all their rights* and *authorise all actions* of the emerging sovereign.<sup>15</sup> This claim on the content seems to imply the claim on the theory's main function: it is plausible to assume that the theory's central purpose is to justify the absolute state<sup>16</sup> and to immunise the sovereign from criticism; as authors of all the sovereign's actions, the subjects cannot complain about them and – of course – have no right of resistance. Specific problems arise, however, from a reading of authorisation as unconditional; most notably, an unconditional authorisation of the sovereign's actions appears to contradict the doctrine of the liberty of subjects set out in chapter 21 of *Leviathan*, which implies *conditional* authorisation.

This article will propose a complex interpretation of Hobbes's theory of authorisation that resolves this apparent contradiction and complements prevailing hypotheses around the theory's function and principal addressee. My account and defence of this interpretation will proceed as follows:

- (1) First, I will introduce readers to the theory of authorisation by analysing central passages of *Leviathan* (especially chapter 17) and argue that textual evidence seems to support the claim of unconditional authorisation of the sovereign's actions.
- (2) I will subsequently proceed to highlight problems of this reading of unconditional authorisation of the emerging sovereign that arise from the theory of the liberty of subjects (particularly as set out in chapter 21).
- (3) I will then present my interpretation as a non-paradox theory of *conditional and unconditional* authorisation, on the basis of my analysis of chapters 14, 16, 17 and 21 of *Leviathan*, and defend my claims relating to the theory's consistency and complexity.

- (4) Concluding, I will summarise my findings, characterising Hobbes's theory of authorisation as a complex argumentative strategy for peace that combines absolutist and liberal elements in a non-paradoxical way and that fulfils different functions for different addressees – one underexplored function being a *memento mori* for the sovereign.

## 2. The authorisation theory in chapter 17: unconditional authorisation and immunisation of the sovereign from criticism

Let us first consider some passages of *Leviathan* chapter 17 that support a reading of the authorisation theory as unconditional and the theory's supposed function of immunising the sovereign from criticism.

Both the contractual formula I cited above and its wider context suggest that the later subjects authorise *all* of the sovereign's actions, i.e. authorise the sovereign's actions without conditions. Hobbes insists that those granting authorisation acknowledge *all* the actions and words issued by the artificial person of the sovereign as their own actions and words, and calls for these authors to submit their will and judgement to this artificial person:

The only way to erect such a Common Power, [...] is, to conferre 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 to say, to appoint one Man, or Assembly of men, to beare their Person; and every one to owne, and acknowledge himselfe to be Author of whatsoever he that so beareth their Person, shall Act, or cause to be Acted, in those things which concerne the Common Peace and Safetie; and therein to submit their Wills, every one to his Will, and their Judgements, to his Judgement.<sup>17</sup>

The interpretation suggested by this passage, that the subjects *unconditionally submit* to the emerging sovereign by recognising *all* of his words and actions as their own, is supported by other passages. Hobbes repeats his claim that via the authorisation act, all actions of the emerging sovereign are authorised, and explains in chapter 18 *Leviathan* that therefore, the sovereign cannot be accused of injustice. The act of unconditional authorisation of the sovereign's actions seems to imply the immunity of the sovereign:

[...] because every Subject is by this Institution Author of all the Actions, and Judgments of the Sovereigne Instituted; it followes, 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 any thing by authority from another, doth therein no injury to him by whose authority he acteth: But by this Institution of a Common-wealth, every particular man is Author of all the Sovereigne doth; and consequently he that complaineth of injury from his Sovereigne, complaineth of that whereof he himselfe is Author; and therefore ought not to accuse any man but himselfe; no nor himselfe of injury; because to do injury to ones selfe, is impossible.<sup>18</sup>

The duty to obey the orders of the sovereign appears absolute; not even the punishment or killing of an innocent person by the sovereign can be called unjust under these premises, as the subject thus conceived is the author of all the sovereign's actions. Hobbes explains:

For it has been already shewn, that nothing the Sovereigne Representative can doe to a Subject, on what pretence soever, can properly be called Injustice, or Injury; because every Subject is Author of every act the Sovereigne doth; [...] And therefore it may, and doth often happen in Common-wealths, that a Subject may be put to death, by the command of the Sovereigne Power; and yet neither doe the other wrong [...].<sup>19</sup>

The same applies to insurgents or rebels who have attempted to 'depose [their] Sovereigne', whom Hobbes considers 'author[s] of [their] own punishment':

Besides, if he that attempteth to depose his Sovereigne, 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 Sovereigne shall do [...].<sup>20</sup>

Passages like these suggest that the contract of authorisation causes the contracting individual to unconditionally authorise all future actions of the sovereign, that is, to renounce all their rights and commit themselves to absolute obedience to the sovereign. It is also evident that the theory

negates the existence of a right to rebellion. Because the sovereign is only a beneficiary of, but not a party to, the contract of authorisation, he cannot, by definition, breach that contract:

[...]Because the Right of bearing the Person of them all, is given to him they make Sovereigne, by Covenant onely of one to another, and not of him to any of them; there can happen no breach of Covenant on the part of the Sovereigne; and consequently none of his Subjects, by any pretence of forfeiture, can be freed from his Subjection.<sup>21</sup>

It seems that all subjects must recognise the actions of a reigning sovereign as their own; in other words, in the case of a monarchy, subjects may not simply seek a new sovereign:

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 transferre 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 Sovereigne, shall do, and judge fit to be done [...].<sup>22</sup>

We can see that these passages do appear to provide plausible evidence in support of a reading of the theory as one of unconditional authorisation, and also seem to demonstrate the theory's function of immunisation of the sovereign. The claim that the later subjects unconditionally authorise all the sovereign's actions, (I will henceforth refer to this as the 'unconditionality claim'),<sup>23</sup> and the claim that the theory's principal purpose is to immunise the sovereign and his actions from criticism (henceforth the 'immunisation claim'),<sup>24</sup> are supported by the cited passages and widely held in the literature.<sup>25</sup>

### 3. A problem for the unconditionality claim: chapter 21 of *Leviathan* and the liberty of the subject

This section will explore the difficulties presented to the unconditionality claim by the Hobbesian right of self-preservation and, on that basis, the liberty of subjects.<sup>26</sup> As suggested by the passage of *Leviathan* cited above on the lawful execution of an innocent subject, Hobbes leaves us in no doubt that the right of the sovereign is absolute, as is the subjects' duty to recognise all actions of the sovereign as their own. If the authorising contract confers all rights to the sovereign and the subject recognises all future actions of that sovereign as their own, the subject's obligation to obey likewise appears absolute. It is precisely this absolute obligation of obedience, however, that Hobbes disputes in chapter 21 of *Leviathan*, which sets out his doctrine of the 'true Liberty of a Subject'.<sup>27</sup> It is here that Hobbes concedes that there are things 'which though commanded by the Sovereign, he [the subject] may nevertheless, without Injustice, refuse to do'.<sup>28</sup> Hobbes asserts 'that every Subject has Liberty in all those things, the right whereof cannot by Covenant be transferred',<sup>29</sup> specifically:

If the Sovereign command a man (though justly condemned,) to kill, wound, or mayme himselfe; or not to resist those that assault him; or to abstain from the use of food, ayre, medicine, or any other thing, without which he cannot live; yet hath that man the Liberty to disobey.<sup>30</sup>

The case of rebellion likewise reveals a puzzling lack of obligation. As we have seen, Hobbes clearly negates a right to rebellion and emphasises the obligation to obey the reigning sovereign. This context, however, gives rise to a particular challenge when reading the passage of chapter 21 on the case of a failed insurrection, where Hobbes classifies collective resistance to the sovereign who threatens self-preservation as permissible:

But in case a great many men together, have already resisted the Sovereign Power unjustly, or committed some Capitall crime, for which every one of them expecteth death, whether have they not the Liberty then to joyn together, and assist, and defend one another? Certainly they have: For they but defend their lives, which the Guilty man may as well do, as the Innocent.<sup>31</sup>

And while the contractual formula of chapter 17 holds that all actions of the sovereign are authorised without exception and that the subjects submit their wills to the sovereign – which implies that

there is no liberty to disobey –, Hobbes states in chapter 21 that the authorisation expressed in that contractual formula ‘is no restriction at all, of his [the subject’s] former naturall Liberty’.<sup>32</sup>

In contrast to our reconstruction of the theory of authorisation as unconditional, which implies unconditional authorisation for all actions of the sovereign and suggests that the subject is bound to absolute obedience, the doctrine of the liberty of the subject indicates the existence of non-transferable rights that cannot form part of contractual authorisation, asserts that authorisation is always contingent upon the conditions implied by these rights, and notes that there are cases in which subjects are at liberty to disobey. It is thus evident that the theory of the liberty of subjects, which is founded on the right to self-preservation, raises serious problems to a reading of the theory of authorisation as unconditional. This supposed contradiction between chapters 17 and 21 is not only one of the most discussed problems of modern Hobbes research (and it is correctly highlighted by scholars who defend the claims of unconditionality and immunisation). But already Hobbes’s contemporaries raised it as a problematic aspect of his theories; writers including Clarendon,<sup>33</sup> Bramhall<sup>34</sup> and Filmer<sup>35</sup> denounced what they regarded as its inconsistency, undermining of royalism and incitement to subversion. Present-day research on Hobbes likewise engages in discussion of the apparent contradiction between unconditional authorisation and the concept of non-transferable rights, which implies a conditional quality to authorisation: Martinich follows Filmer when he succinctly states that chapters 17 and 21 of *Leviathan* contradict each other.<sup>36</sup> Cohen similarly perceives an inconsistency between unconditional authorisation and the liberty of subject.<sup>37</sup> Hampton notes the contradiction between unconditional authorisation and the idea of non-transferable rights.<sup>38</sup> Sreedhar claims that obligation and authorisation are separated in Hobbes, albeit conceding that while this separation can explain conditional obligation, the theory of authorisation itself remains somewhat problematic.<sup>39</sup> Weithman claims that ‘the cost of securing sovereign immunity via authorization’ is an ‘apparent inconsistency’.<sup>40</sup>

It is evident, then, that our reconstruction of the authorisation theory as an unconditional authorisation faces difficulties. If we consider the formula of authorisation in chapter 17 and the doctrine of the liberty of subjects in chapter 21, we find ourselves seemingly in a situation of mutual incompatibility. Either authorisation is unconditional, in which case it is valid, as the contractual formula in chapter 17 states, for *all* future actions of the sovereign. Or it is conditional and entails the exception of some rights from transferral, which would mean that authorisation does not cover *all* future actions of the sovereign, but only those that are not harmful to the subject’s self-preservation (as suggested by the doctrine of the liberty of subjects in chapter 21). Our reconstruction of the theory of authorisation as unconditional appears to be incompatible with the doctrine of the liberty of subjects – the first suggests unconditional authorisation, the latter implies conditional authorisation. Is there a way of resolving this contradiction? I believe so; the section that follows will accordingly set out a fresh interpretation of the theory of authorisation, that proposes such a resolution and sheds light on some hitherto underexplored, additional functions and addressees of the theory.

#### 4. Conditional *and* unconditional authorisation: a non-paradoxical, complex reading of Hobbes’s theory of authorisation

In what follows, I will argue for three claims: First, that Hobbes’s theory of authorisation is consistent with his notion of the liberty of subjects and that we can read it as a non-paradoxical theory of simultaneously conditional and unconditional authorisation. Second, that the function of this theory is not solely to immunise the sovereign from criticism (and to deny a right to rebellion), but also to discipline the sovereign. Third, in relation to this claim on the theory’s dual function, that the theory addresses both subjects *and* sovereigns. Overall, I will argue that Hobbes’s theory of authorisation represents a complex blend of liberal and absolutist elements and a complex argumentative strategy against rebellion and for a stable and enduring peace.

I will begin by exploring Hobbes's statements on authorisation in chapter 16 of *Leviathan*, where he engages explicitly with the conditions under which authorisation is valid. Authorisation transfers to another the right to perform an action. According to Hobbes, in authorisation, the author and original holder of the right to an action transfers their right(s) to a substitute and undertakes to acknowledge the latter's actions and words as their own:

Of Persons Artificiall, some have their words and actions *Owned* by those whom they represent. And then the Person is the *Actor*; and he that owneth his words and actions, is the *AUTHOR*: In which case the Actor acteth by Authority. [...] And as the Right of possession, is called Dominion; so the Right of doing any Action, is called *AUTHORITY*. So that by Authority, is always understood a Right of doing any act: and *done by Authority*, done by Commission, or Licence from him whose right it is.<sup>41</sup>

Hobbes's conditions for authorisation, in general, are as follows: The act of authorisation requires a living and reasonable person to carry it out.<sup>42</sup> Further, the author must have previously possessed the right to perform certain actions themselves if they are to be able to transfer that right. Hobbes points out the potential dangers of entering into contracts with a representative whose authority is unclear,<sup>43</sup> warning the reader against relying solely on the word of the person who purports to possess authority:

And he that maketh a Covenant with the Author, by mediation of the Actor, not knowing what Authority he hath, but onely takes his word; in case such Authority be not made manifest unto him, upon demand, is no longer obliged [...].<sup>44</sup>

Hobbes's contention that words alone never constitute sufficient grounds for valid contracts (and therefore for obedience) recalls his remarks on valid covenants in chapter 14 of *Leviathan*, where he had asserted self-preservation as the central criterion of a covenant's validity. Indeed, Hobbes, in explaining the conditions for an authorisation's validity in chapter 16, explicitly references these remarks in chapter 14:

And therefore all that hath been said formerly, (*Chap. 14.*) of the nature of Covenants between man and man in their naturall capacity, is true also when they are made by their Actors, Representatives, or Procurators, that have authority from them, so far-forth as is in their Commission, but no farther.<sup>45</sup>

Turning back to chapter 14, the reader finds important information on the status of contractual formulas and, crucially, a request to interpret them. Hobbes contends that the wording of contractual formulas cannot constitute sufficient grounds for the validity of obligations. In fact, he argues, contractual formulas that are contrary to self-preservation can *never* form a basis for obligations. Therefore, he continues, interpretation of the wording of problematic contractual formulas must always proceed in such a way as to retain compatibility with self-preservation, which is the motive and purpose of the covenant:

Whensoever a man Transferreth his Right, or Renounceth it; it is either in consideration of some Right reciprocally transferred to himselfe; or for some other good he hopeth for thereby. For it is a voluntary act: and of the voluntary acts of every man, the object is some *Good to himselfe*. And therefore there be some Rights, which no man can be understood by any words, or other signes, to have abandoned, or transferred. [...] And lastly the motive, and end for which this renouncing, and transferring of Right is introduced, is nothing else but the security of a mans person, in his life, and in the means of so preserving life, as not to be weary of it. And therefore if a man by words, or other signes, seem to despoyle himself of the End, for which those signes were intended; he is not to be understood as if he meant it, or that it was his will; but that he was ignorant of how such words and actions were to be interpreted.<sup>46</sup>

Here, Hobbes clearly and unambiguously sets out that, where a contract appears to confer rights inimical to self-preservation, an interpretation of this problematic contractual formula<sup>47</sup> is required that must retain the formula's compatibility with this assumed will to self-preservation. I propose that this principle, which I will term the 'principle of the obligatory interpretation of problematic contractual formulas' (POIPCF), presents an initial solution to our problem of how we can read the theory of authorisation as simultaneously conditional and unconditional; even if the *wording* of the

formula of authorisation speaks of unconditional authorisation and of a recognition of all the sovereign's actions as one's own, the wording of this formula *demands interpretation* in accordance with Hobbes's POIPCF in such a way that no contradiction with the right of self-preservation arises. Supposing someone, in a contractual situation, says:

*I Authorise and give up my Right of Governing my selfe, to this Man, or to this Assembly of men, on this condition, that thou give up thy Right to him, and Authorise all his Actions in like manner.*<sup>48</sup>

According to the POIPCF, this contractual formula, which contains a universal statement (authorising all actions), would demand interpretation as a qualified statement that implies only a conditional transfer of rights and only a conditional recognition of the actor's actions as one's own actions. This suggests a straightforward resolution to the apparent contradiction between the wording of the formula of authorisation in chapter 17 of *Leviathan*, which speaks of unconditional authorisation, and the conditional authorisation implied in chapter 21. Notwithstanding the wording that refers to an 'unconditional authorisation', its *interpretation* as an unconditional authorisation is non-allowable in the terms of the POIPCF; instead, the formula requires interpretation in such a way that no conflict with self-preservation ensues. Hobbes's remarks in chapter 21 indeed expressly apply the POIPCF to the formula of authorisation when Hobbes distinguishes between two routes to the identification of a person's obligation, that is, from the *wording* of a contractual formula, or from the *purpose* or intention pursued with the contract:

For in the act of our *Submission*, consisteth both our *Obligation*, and our *Liberty*; which must therefore be inferred by arguments taken from thence; there being no *Obligation* on any man, which ariseth not from some Act of his own; for all men equally, are by Nature free. And because such arguments, must either be drawn from the expresse words, *I Authorise all his Actions*, or from the Intention of him that submitteth himself to his Power [...] The *Obligation* and *Liberty* of the Subject, is to be derived, either from those Words [...] or else from the End of the Institution of Sovereignty [...].<sup>49</sup>

Now that Hobbes has unfolded these two alternatives – the wording of the contractual formula or the contract's purpose – we see that the second alternative represents his view: obligation is dependent on purpose. As in our reconstructed POIPCF, Hobbes instructs the reader *to disregard the wording* of contractual formulas (what a serious imposition, particularly for philosophers!) and to concentrate instead on the contract's purpose:

No man is bound by the words themselves, either to kill himselfe, or any other man; And consequently, that the *Obligation* a man may sometimes have, upon the Command of the Sovereign to execute any dangerous, or dishonourable Office, dependeth not on the Words of our *Submission*; but on the Intention; which is to be understood by the End thereof.<sup>50</sup>

Thus devaluing the wording of contractual formulas, Hobbes goes as far as to assert that the wording alone effects no restriction of natural liberty at all – a passage which, as we have seen, had caused Filmer a notable degree of upset:

Again, the Consent of a Subject to Sovereign Power, is contained in these words, *I Authorise, or take upon me, all his actions*; in which there is no restriction at all, of his former naturall Liberty: For by allowing him to *kill me*, I am not bound to kill my selfe when he commands me. 'Tis one thing to say, *Kill me, or my fellow, if you please*; another thing to say, *I will kill my selfe, or my fellow.*<sup>51</sup>

Hobbes thus advises that it is inadmissible to interpret the apparent permission conferred upon the sovereign to do anything as obliging the author to acknowledge all the sovereign's actions as their own or to renounce all resistance. As the last part of the quote – the problem to say '*I will kill my selfe* [...]' implies – Hobbes regards it as impossible for a subject to recognise acts that endanger self-preservation, such as killing oneself, as one's own voluntary acts.<sup>52</sup> In general, the purpose the subject pursues with the submission serves as a criterion for the acknowledgement of actions as one's own and for the liberty to resist: 'When therefore our refusall to obey, frustrates the End for which the Sovereignty was ordained; then there is no Liberty to refuse: otherwise, there is.'<sup>53</sup> In the final analysis, this statement of Hobbes's means that refusal of obedience is always



possible (and even advisable) if this refusal is conducive to the contractual purpose of self-preservation. The assertion of chapter 21 that the obligation to obey depends, not on the *wording* of the contractual formula, but on the *purpose* the contract pursues, lends additional support to our POIPCF, as reconstructed in our analysis of chapters 16 and 14. According to my proposed reading of the theory of authorisation as a theory of conditional *and* unconditional authorisation, then, there is no contradiction at all between the chapters 17 and 21 of *Leviathan*. Indeed, the opposite is the case: in line with Hobbes's principle of the obligation to interpret problematic contractual formulas, as continuously developed in chapters 14, 16 and 21, the wording of the authorisation formula in chapter 17, which refers to unconditional authorisation, demands *interpretation as conditional authorisation* (as chapter 21 suggests) from the very outset.<sup>54</sup> Hobbes's theory of authorisation is therefore consistent with chapter 21 and describable as a non-paradoxical theory of both: unconditional *and* conditional authorisation – unconditional in terms of its wording, and conditional in terms of its effect. The supposed contradiction between chapters 17 and 21, a frequent theme in the literature on Hobbes, thus receives a resolution.

Objections to this proposed reading are doubtless possible. One of them may be that it is not only in contractual formulas, but also outside contractual formulas that Hobbes refers to unconditional authorisation and to the impossibility of the sovereign doing wrong. One example is the assertion in *Leviathan* 18: 'for they are bound, every man to every man, to Own, and be reputed Author of all, that he that already is their Sovereigne, shall do, and judge fit to be done [...]'.<sup>55</sup> Our reconstructed POIPCF does not seem to help here, because this passage is not a contractual formula at all, but a simple statement of unconditional authorisation. A second possible objection that arises to our reading relates to why Hobbes should set out the principle of the obligation to interpret contractual formulas in the first place; is this principle not diametrically opposed to its supposed function of immunising the sovereign against criticism and therefore, as Bramhall complained, describable as the basis of a '*Rebells catechism*'?

The interpretation I have developed is capable of meeting and refuting both of these objections. The objection that the POIPCF can only explain contractual formulas, but not other passages that speak of unconditional authorisation, is important. However, we may still consider the wording of the passage of *Leviathan* 18 cited above compatible with my reading of Hobbesian authorisation as simultaneously conditional and unconditional; as Hobbes states unambiguously in the same chapter, the *existence* of sovereignty as a special status is itself contingent upon conditions, as, indeed, is the status of subject:<sup>56</sup>

The Obligation of Subjects to the Sovereign, is to understood to last as long, and no longer, than the power lasteth, by which he is able to protect them. For the right men have by Nature to protect themselves [...] can by no Covenant be relinquished. The Sovereignty is the Soule of the Common-wealth; which once departed from the Body, the members doe no more receive their motion from it.<sup>57</sup>

This passage establishes the mortality of sovereignty and contends that the existence of sovereignty depends on the purpose that individuals pursued in establishing it: self-preservation. The POIPCF states that this purpose is the reason underlying the subject's obligation. A subject is bound to obey as a subject only when, and only as long as, the actions and laws of the sovereign do not run counter to its (the subject's) self-preservation. This purpose of self-preservation, as well as being the reason for and condition of the existence of the subject's obligation, is simultaneously the reason for and the condition of the existence of the artificial entity that is the state – a property evidenced by the assertion of sovereignty's mortality. Once the soul, i.e. sovereignty, has left the body politic, it can no longer move its members, that is, the subjects; the effect is that the body politic disintegrates, the status of the sovereign and the status of the subject disappear, and what remains behind is only people in the state of nature, without obligations. Hobbes's thesis of the mortality and the conditional existence of sovereignty thus presents another way of resolving the supposed contradiction between the conditional act of authorisation and the unconditional authority of the sovereign: If the sovereign, *as sovereign*, possesses unconditional authority, but sovereignty's *existence* is

simultaneously contingent upon conditions, then there is no contradiction between that *unconditional authority of the sovereign* to perform actions and the de facto conditional character of the act of authorisation undertaken by the individuals who become subjects through this act.<sup>58</sup> In my view, this ‘contingency claim’ of sovereignty (as I will call it) refutes the first objection to my reading, because it provides a solution to the problem that the POIPCF can only explain problematic contractual formulas (and not other passages).

There now remains the second objection, which is essentially a practical problem of Hobbes’s intention and the presumed function of the theory of authorisation. Why should Hobbes emphasise the fragility of the sovereign; why should he allow the interpretation of the contractual formula? Surely this detracts from Hobbes’s aim of establishing a strong sovereign and asserting his unqualified immunity?

Our reading of the theory of authorisation as a theory of conditional and unconditional authorisation responds to this question and refutes the associated objection by identifying distinct addressees of the theory and by adding a supplementary view to the function of immunisation. The POIPCF I have proposed and the thesis of the sovereign’s conditional existence demonstrate that it is, on the one hand, theoretically possible to combine the idea of unconditional authorisation with that of conditional authorisation. On the other hand, this synthesis of seemingly contradictory theoretical elements is also of practical political use: The sovereign attains strength and stability not only when subjects assume that they have no *right* to complain about the sovereign’s actions, but also when subjects have no *reason* to complain, that is, when the sovereign’s actions are, from the outset, centred upon the aims and purposes of the contracting individuals. A reminder of sovereignty’s fragility and dependence on the purposes of the individual subjects can have a stabilising effect if it is primarily addressed to the sovereign and confronts him with the conditions of his existence in the form of a *memento mori*:

And though Sovereignty, in the intention of them that make it, be immortall; yet is it in its own nature, not only subject to violent death, by forreign war; but also through the ignorance, and passions of men, it hath in it, from the very institution, many seeds of a naturall mortality [...].<sup>59</sup>

In the Introduction to *Leviathan*, Hobbes names the sovereign – ‘He that is to govern a whole Nation’ – as the addressee of his doctrine,<sup>60</sup> that is, of the radically modern idea that individuals, as godlike creators, are the collective constructors and manufacturers of the great artificial man that constitutes the state.<sup>61</sup> In this respect, we are to read this idea as, above all, a message to the sovereign. The emphasis on the artificiality and mortality of the body politic, then, does not primarily serve to make individuals afraid of the fragility of their own construction;<sup>62</sup> rather, the thesis of fragility is a *memento mori*, a counsel to the sovereign about the mortality of sovereignty. Insight into the body politic’s artificiality and mortality and into the conditions of its legitimacy is intended to lead the sovereign to pursue a politics that takes the corporeality of all individuals as creators and constructors seriously. By this argument, it is because of sovereignty’s mortality that the sovereign should pursue a politics I will call a ‘policy of the body’. One reason for this is that an accumulation of individual bodies, in rebellions, can unleash power that can pose a danger to sovereignty as the artificial soul, and thus to the whole artificial body politic. In the Latin version of *Leviathan* chapter 30 Hobbes recalls the Dutch Revolt of 1566, in light of which he advocates for a policy of respect for the people and the common man to the end of preventing rebellion.<sup>63</sup> The sovereign thus needs to pursue a policy of the body in the sense of preserving sovereignty and thus the life of the body politic. But a policy that preserves the artificial body politic must commence with the protection and nourishment of the subjects’ natural, living bodies.<sup>64</sup> The sovereign’s insight into the conditionality of his legitimacy dictates a policy that serves the purpose of contracting, that is, a policy that considers the mortality of the subjects’ living bodies and secures their self-preservation. The policy of the body thus pursued, in the ideal case, by the sovereign is twofold: Care for the subjects’ living bodies promises to prolong the ‘life’ and existence of the artificial body politic (and its soul, sovereignty). Hobbes therefore gives the sovereign the task of promoting self-preservation and ‘all other

Contentments of life, which every man by lawfull Industry, without danger, or hurt to the Common-wealth, shall acquire'.<sup>65</sup>

Thus, our reinterpretation of Hobbes's theory of authorisation, besides resolving the supposed contradiction between chapters 17 and 21 of *Leviathan*, creates precision and distinction in terms of the theory's addressees, contending that these are ahistorical, and supplements the theory's aim of immunising the sovereign with an additional disciplining function. The unconditional reading of the authorisation theory undoubtedly can be justified with recourse to numerous passages of *Leviathan* that figure authorisation of the sovereign's actions as unconditional. It is also plausible to assume that an essential purpose of the theory is to justify absolute rule and to immunise the sovereign against criticism: Subjects are supposed to regard themselves as authors who have empowered the sovereign, and to that extent to assume, as a general principle, the legitimacy of all his actions and the non-existence of a right to rebel against these actions or to criticise them. The supposed contradiction between chapter 17 and chapter 21 can be resolved when we realise that there is, from the very beginning, a complexity in the theory of authorisation. A resolution of the supposed contradiction emerges if we read the theory of authorisation as a complex and non-paradoxical theory of both: conditional *and* unconditional authorisation. Further, we contend that the theory addresses itself to two distinct addressees: subjects, with the intent of convincing them of the legitimacy of the sovereign and all his actions, and simultaneously the sovereign, to the end of disciplining him via a counsel of *memento mori*. This counsel effectively runs: Consider that sovereignty is mortal; consider that your existence as a fictitious person depends on the consent of your subjects, and act accordingly so that your subjects lack reason and cause for rebellion. If natural bodies come together to rise up against the fictitious person of the sovereign, sovereignty's existence is in danger. Act therefore in such a way that your subjects have no reason for rebellion – because, as an artificial product, sovereignty is dependent on the purpose of its authors.<sup>66</sup>

My reading of the theory of authorisation further supplies us with what I term the 'principle of the obligatory interpretation of problematic contractual formulas' (POIPCF), which calls for the interpretation of wordings that are contrary to self-preservation in such a way that compatibility with self-preservation results. Additionally, the 'contingency claim' of sovereignty demonstrates, in my view, that it is logically entirely possible to regard the sovereign as authorised to perform all actions and at the same time to assert the impossibility of authorising certain actions – provided the existence of sovereignty itself is subject to conditions. It is true that the subjects recognise and acknowledge all actions *of the sovereign* as their own actions. Nevertheless, because the sovereign's status as such is contingent upon his satisfying the subjects' purpose of self-preservation, the unconditional authorisation of all the sovereign's actions is effectively a conditional authorisation of the person or the group of persons that acts as the sovereign. Hobbes's theory of authorisation is thus logically unproblematic, because the POIPCF and the conditionality of sovereignty's existence do permit the simultaneity of unconditional and conditional authorisation without contradiction. But Hobbes's achievement is not limited to a theoretical elimination of contradictions between the seemingly incompatible. His theory of authorisation succeeds in developing a complex argumentative strategy against rebellion, to the end of attaining a lasting and stable peace within a state. Because the theory bears the dual purpose of immunising the sovereign – addressed primarily to subjects – and disciplining him – directed principally to the sovereign himself –, it is both non-paradoxical in character and of substantial political usefulness in its unification of unconditional and conditional authorisation, of liberal premises and absolute conclusions.

## 5. Conclusion: the inner complexity of Hobbes's theory of authorisation and the puzzle of the sovereign's smile

At a general level, I have contended that Hobbes developed complex argumentative strategies to the end of communicating his doctrine. This complexity manifests in matters of form, such as the use of translations and visual strategies. Yet it is also observable within the content of Hobbes's teachings;

my proposed reading of his theory of authorisation identifies an instance of that complexity. This theory does not simply justify the absolute state; instead, it conveys genuinely liberal elements of political representation and the radically modern idea of individuals as the state's creators and constructors. Hobbes's theory of authorisation is both consistent and complex – complex in terms of its content, functions and addressees, and in terms of combating rebellious ideas and securing stability and peace. It is about both the justification of the absolute state and the establishment of individual rights as the basis and limit of legitimate statehood; it directs a lesson to subjects on the immunity of the sovereign, and simultaneously a lesson to the sovereign himself with the purpose of disciplining him via a counsel of *memento mori*. As an assertion of unconditional authorisation of the sovereign, the theory clearly negates the idea of a *right* of rebellion against the sovereign. At the same time, its *memento mori*, noting that, as the product of its creators, sovereignty is mortal and dependent on the ends of the contracting individuals, invites the sovereign to interpret the contractual formula as a conditional authorisation and therefore to eliminate *reasons* for rebellion. The 'principle of the obligatory interpretation of problematic contractual formulas' (POIPCF), which resolves the supposed contradiction between chapter 17 and chapter 21 of *Leviathan*, addresses itself primarily to the sovereign, seeking to convince him to eliminate reasons for rebellion. In conclusion, I propose that we should read Hobbes's theory of authorisation as a complex blend of pre-modern and modern, absolutist and liberal elements<sup>67</sup> with a (at least) dual message for a divergent audience.<sup>68</sup> Whether or not it is prudent to have confidence that absolute sovereigns will understand Hobbes's liberal lesson is not entirely clear. However, it may be that Hobbes's optimism that the sovereign would heed the *memento mori* and make liberal use of his absolute right explains why *Leviathan's* frontispiece depicts not a dangerous monster<sup>69</sup> but a smiling sovereign.<sup>70</sup>

## Notes

1. Hoekstra argues that we can read Hobbes's translation of Thucydides's *History of the Peloponnesian War* as a critique of England's interference in external wars; cf. Kinch Hoekstra, 'Hobbes's Thucydides', in *The Oxford Handbook of Hobbes*, ed. A. P. Martinich and Kinch Hoekstra (Oxford: Oxford University Press, 2016), 547–74.
2. In Germany, Bredekamp has rendered outstanding services in the analysis of Hobbes's visual strategies; cf. Horst Bredekamp, *Leviathan. Body Politic as Visual Strategy in the Work of Thomas Hobbes*, trans. and ed. Elisabeth Clegg (Berlin: Walter de Gruyter, 2020). In U.K. scholarship, Skinner recently moved Hobbes's visual strategies back to centre stage in a keynote lecture; cf. Quentin Skinner, 'A Bridge Between Art and Philosophy: The Case of Thomas Hobbes', *European Review* 30 (2022): 627–38. doi:10.1017/S1062798722000059.
3. Some recent examples include Teresa M. Bejan, 'Hobbes and Hats', *The American Political Science Review*, 117, no. 4 (2023): 1188–1201. doi.org/10.1017/S0003055422001356; Joanne Boucher, 'Masculine Power? A Gendered Look at the Frontispiece of Hobbes's Leviathan', *Hypatia* 36, no. 4 (2021): 636–56. doi:10.1017/hyp.2021.50; Magnus Kristiansson and Johan Tralau, 'Hobbes's Hidden Monster: A New Interpretation of the Frontispiece of Leviathan', *European Journal of Political Theory* 13, no. 3 (2014): 299–320; Janice Richardson, 'Hobbes' Frontispiece: Authorship, Subordination and Contract', *Law Critique* 27, no. 1 (2016): 63–81. doi:10.1007/s10978-015-9165-9.
4. I will quote the Clarendon Edition of Hobbes's *Leviathan*, ed. Noel Malcolm, vol. 1–3 (Oxford: Clarendon Press, 2012), citing the chapter, page number and lines in each case (and additionally giving the pagination of the 1651 Head Edition in square brackets).
5. L 17, 260, 25–27 [87].
6. An example is Hanna Pitkin, 'Hobbes's Concept of Representation–II', *The American Political Science Review* 58, no. 4 (1964): 911–13.
7. Skinner argues that the theory of authorisation is primarily a 'rhetorical strategy' directed against 'the parliamentarian propagandists of the 1640s': In his view, Hobbes seeks to show these writers, who (as Skinner impressively demonstrates) were the first to use the language of authorisation, that 'it is possible to accept the basic structure of their theory without in the least endorsing any of the radical implications they had drawn from it'. Quentin Skinner, 'Hobbes on Persons, Authors and Representatives', in *The Cambridge Companion to Hobbes's Leviathan*, ed. Patricia Springborg (Cambridge: Cambridge University Press, 2007), 161.
8. Michael J. Green, 'Authorization and Political Authority in Hobbes', *Journal of the History of Philosophy* 53, no. 1 (2015): 44; also, at an earlier stage, Kinch Hoekstra, 'The De Facto Turn in Hobbes's Political

- Philosophy', in *Leviathan after 350 Years*, ed. Tom Sorell and Luc Foisneau (Oxford: Clarendon Press, 2004), 71f.
9. A.P. Martinich, 'Authorization and Representation in Hobbes's *Leviathan*', in *The Oxford Handbook of Hobbes*, ed. A.P. Martinich and Kinch Hoekstra (Oxford: Oxford University Press, 2016), 323: '[...] authorization can stand alone and explain the origin of government'.
  10. Susanne Sreedhar, 'Authorization and Alienation', in *The Bloomsbury Companion to Hobbes*, ed. S.A. Lloyd (London: Bloomsbury, 2013), 152.
  11. Proponents of the developmental and redundancy arguments sometimes draw opposing conclusions: Sreedhar contends in *Hobbes on Resistance. Defying the Leviathan* (New York: Cambridge University Press, 2010), 99, that '[p]erhaps the Hobbesian notion of authorization is unavoidably problematic, and he should have kept the initial characterization of the social contract he offered in *De Cive*', while Martinich holds in 'Authorization and Representation', 232, that the new theory of authorisation in *Leviathan* is philosophically superior to its predecessor theory and that Hobbes would have been better off completely dispensing with the earlier, problematic theory of alienation.
  12. Robin Douglass, 'Authorisation and Representation before Leviathan', *Hobbes Studies* 31, no. 1 (2018): 30–47.
  13. Tricaud, introduction to *Léviathan*, xi–xxxvi.
  14. See Mónica Brito Vieira, 'Leviathan Contra Leviathan', *Journal of the History of Ideas* 76, no. 2 (2015): 282.
  15. In the quoted formula of chapter 17, 260, 25–27 [87], the (one and only) precondition mentioned for this authorisation is reciprocity. There are other preconditions for authorisations – for example only living, rational beings can, according to Hobbes, authorise. Unconditional authorisation is used here to describe the fact that *all actions of the sovereign are authorised without exception*.
  16. Compare Sreedhar, *Hobbes on Resistance*, 99: 'In sum, Hobbes's claims about *unconditional* authorship and ownership should be read as claims that sovereignty needs to be absolute'.
  17. L 17, 260, 11–22 [87].
  18. L 18, 270, 1–10 [90].
  19. L 21, 330, 2–10 [109].
  20. L 18, 264, 30 – L 18, 266, 2 [89].
  21. L 18, 266, 12–16 [89].
  22. L 18, 264, 20–26 [88–89].
  23. See Lemetti, 'Representation', 280: 'An author (a subject or subjects) does not give only, if at all, a set of well-defined rights to an actor, but gives virtually unlimited rights not only to speak and act on his behalf but also the right to interpret what is best for the commonwealth'; see Sreedhar, *Hobbes on Resistance*, 95, 99: 'The Hobbesian sovereign, by contrast, is authorized *without qualification*. [...] In sum, Hobbes's claims about unconditional authorship and ownership should be read as claims that sovereignty needs to be absolute [...]'; Mónica Brito Vieira, *The Elements of Representation in Hobbes: Aesthetics, Theatre, Law in the Construction of Hobbes's Theory of the State* (Leiden: Brill, 2009), 172: 'In authorizing the sovereign unconditionally the multitude make themselves, every one, the author of whatever the sovereign "shall do, and judge fit to be done" in their corporate person'; Johan Olsthoorn, 'Leviathan Inc.: Hobbes on the Nature and Person of the State', *History of European Ideas* 47, no. 1 (2020): 11: 'Hobbes needs authorization to be unconditional and individual to preclude sovereign injustice'.
  24. Martinich, 'Authorization and Representation', 318: 'Authorization is supposed to immunize the sovereign from criticism. Subjects cannot reasonably criticize their sovereign for doing something if the action is actually owned by them'; Sreedhar, *Hobbes on Resistance*, 96: 'Since the subject owns all of the sovereign's actions in this sense, the sovereign has a complete grant of immunity'; Paul Weithman, 'Hobbes on Persons and Authorization', in *Interpreting Hobbes's Political Philosophy*, ed. S.A. Lloyd (Cambridge: Cambridge University Press, 2019), 190: 'Green has argued compellingly that Hobbes's account of authorization enabled him to offer a novel and powerful argument for sovereign immunity', cf. Green, 'Authorization and Political Authority', 45; Brito Vieira, *Elements of Representation*, 151: 'Ownership means here *responsibility* for the author, *immunity* for the actor from consequences following actions he performs by the right of the author'. There is a critical discussion of the 'moral responsibility claim' in S.A. Lloyd, 'Authorization and Moral Responsibility in the Philosophy of Hobbes', *Hobbes Studies* 29, no. 2 (2016): 169–88.
  25. Martinich, 'Authorization and Representation' is an important exception to the typical combination of these two claims in the literature: he clearly asserts the validity of the immunisation claim while not supporting the unconditionality claim.
  26. Although I differ in important aspects from Sreedhar's and Martinich's views, my reading – as I will set out below – owes much both to Sreedhar's detailed analysis of chapter 21 and to Martinich's proposal to read Hobbes's theory of authorisation through the lens of chapter 21.
  27. L 21, 336, 1 [111].
  28. L 21, 336, 2–3 [111].
  29. L 21, 336, 20–22 [111].
  30. L 21, 336, 24–27 [111–12].

31. L 21, 340, 10–15 [112–13].
32. L 21, 338, 6–7 [112].
33. Clarendon, a leading royalist of the time, laments: ‘But tho he be so cruel as to devest his Subjects of all that liberty, which the best and most peaceable men desire to possess, yet he liberally and bountifully confers upon them such a liberty as no honest men can pretend to, and which is utterly inconsistent with the security of Prince and People [...]’. Edward Earl of Clarendon, ‘A Survey of Mr. Hobbes His Leviathan’, in *Leviathan. Contemporary Responses to the Political Theory of Thomas Hobbes*, ed. G.A.J. Rogers (Bristol: Thoemmes Press, 1995), 234.
34. Bishop Bramhall complains (in response to the passage cited above, L 21, 340, 10–15, on resisting the sovereign): ‘Why should we not change the name of *Leviathan* into the *Rebells catechism*?’ See John Bramhall, ‘The Catching of Leviathan, or the Great Whale’, in *Leviathan. Contemporary Responses to the Political Theory of Thomas Hobbes*, ed. G.A.J. Rogers (Bristol: Thoemmes Press, 1995), 145.
35. Filmer, discussing L 21, 338, 6–7, asserts a contradiction between chapter 17 and chapter 21 thus: ‘I cannot but wonder Master Hobbes should say [...] there is no restriction at all of his former natural liberty. Surely here Master Hobbes forgot himself, for before [in chapter 17] he makes the resignation to go in these words also “I give up my right of governing myself to this man”: this is a restriction certainly of his own former natural liberty when he gives it away [...]’. Robert Filmer, ‘Observations on Mr. Hobbes’s Leviathan’, in *Patriarcha and Other Political Works of Sir Robert Filmer*, ed. Peter Laslett (New York: Gerland Publishing, Inc, 1984), 246.
36. Martinich, ‘Authorization and Representation’, 321: ‘In short, Hobbes’s theory in chapter 17 is not consistent with the theory in chapter 21’. Martinich perceives a development in Hobbes’s line of argument between chapter 17 and chapter 21 and holds that the ‘pure authorization theory’ of chapter 21 is better than its defective version in chapter 17.
37. Andrew Cohen, ‘Retained Liberties and Absolute Hobbesian Authorization’, *Hobbes Studies* 11, no. 1 (1998): 33: ‘It is then unclear whether subjects may retain such liberties consistent with their authorization of the sovereign’.
38. See Jean Hampton, *Hobbes and the Social Contract Tradition* (Cambridge: Cambridge University Press, 1986), 206: ‘So there is no successful geometric deduction of absolute sovereignty in *Leviathan*, although Hobbes certainly tried mightily to construct one’.
39. For Sreedhar, *Hobbes on Resistance*, 97ff the crucial question is how Hobbes can consistently think *obligation as conditional* in the light of an unconditional, unqualified authorisation – and her solution to *this* problem is the separation of authorisation and obedience, conceding in *Hobbes on Resistance*, 99, that this deflationary account of authorisation remains somewhat problematic. The puzzle of this paper is, in contrast, how Hobbes can think authorisation itself as conditional *and* unconditional at the same time – and the proposed solution will consist in the separation of actions that can and of actions that cannot be owned, in the contingency of sovereignty, and in the principle to interpret problematic contractual formulas – and I will argue that this leaves the theory of authorisation not as problematic, but as consistent, complex, and politically highly useful.
40. See Weithman, ‘Hobbes on Persons’, 190: ‘Whether Hobbes has the resources to resolve this apparent inconsistency is a large question that awaits further investigation’.
41. L 16, 244, 22–30 [81].
42. L 16, 246, 29–30 [81]: ‘But things Inanimate, cannot be Authors, nor therefore give Authority to their Actors [...]’ & L 16, 248, 1–2 [82]: ‘Likewise Children, Fooles, and Mad-men that have no use of Reason [...] can be no Authors [...]’.
43. L 16, 246, 8–9 [81]: ‘And therefore he that maketh a Covenant with the Actor, or Representer, not knowing the Authority he hath, doth it at his own perill’.
44. L 16, 246, 17–20 [81].
45. L 16, 246, 3–7 [81].
46. L 14, 202, 16–35 [65–6].
47. See also Hobbes’s distinction between different ‘Signes of Contract’ in chapter 14: ‘Signes of Contract, are either *Expresse*, or by *Inference*. *Expresse*, are words spoken with understanding of what they signifie [...]’. L 14, 204, 20–21 [66–7]. I take the passage to be compatible with, and to support, my reading that contractual formulas contrary to self-preservation (or, more generally, contrary to natural right) cannot be taken in their explicit meaning, as it is not permissible to assume that their authors had a clear ‘understanding of what they signifie’.
48. L 17, 260, 25–27 [87].
49. L 21, 336, 6–16 [111].
50. L 21, 338, 11–15 [112].
51. L 21, 338, 5–10 [112].
52. Consider again the passage of L 14, 202, 16–35 [65–6] cited above.
53. L 21, 338, 15–17 [112].

54. In this sense, I am in agreement with Martinich that chapter 21 is the best starting point for gaining an understanding of authorisation. Where Martinich and I differ, however, is in relation to his contention that Hobbes developed his theory between chapters 17 and 21. My reconstruction of the POIPCF demonstrates instead that these passages are consistent with one another as different expressions of the same theory. Martinich considers, in 'Authorization and Representation', 323, that Hobbes 'may not have appreciated how much better the theory of pure alienation is'. I hold the contrasting view that Hobbes knew exactly what he was doing and that the differences between chapter 17 and chapter 21 are explainable as components of his complex argumentative strategy against rebellion.
55. L 18, 264, 23–26 [88–9].
56. Here, I follow Steinberger, who claims convincingly that, for Hobbes, while 'the *legitimacy* of a state can never be in dispute [...] the actual *existence* of a state can be'; Peter J. Steinberger, 'Hobbesian Resistance', *American Journal of Political Science* 46, no. 4 (2002): 861. For a critical discussion of Steinberger's argument, see Susanne Sreedhar, 'Interpreting Hobbes on Civil Liberties and Rights of Resistance', in *Interpreting Hobbes's Political Philosophy*, ed. S.A. Lloyd (Cambridge: Cambridge University Press, 2019), 151f. On similar thoughts regarding the status of a subject, see Johan Olsthoorn, 'Forfeiting Citizenship: Hobbes on Traitors, Rebels and Enemies', in *Athenian Legacies: European Debates on Citizenship*, ed. Paschalis M. Kitromilides (Firenze: Olschki, 2014), 237–52.
57. L 21, 344, 1–6 [114].
58. I would emphasise here that this 'contingency claim' differs from the assertion – as put forward by Rhodes ('Hobbes's Account of Authorizing a Sovereign', in *A Companion to Hobbes*, ed. Marcus P. Adams (New York: Wiley and Sons, 2021), 214) – that the sovereign has duties to his subjects, a contention with which I disagree, although I concur with Rhodes' statement (Rhodes, 'Hobbes's Account', 216f.) that sovereignty is, in a sense, conditional. See also Lars Vinx, 'Personality, Authority, and Self-Esteem in Hobbes's Leviathan', *Intellectual History Review* 32, no. 1 (2022): 135–55. doi:10.1080/17496977.2021.2003002, who defends the idea of conditional authorisation.
59. L 21, 344, 9–13 [114].
60. L, Introduction, 20, 6–7 [2]. It is important to distinguish here between potential historical addressees (e.g. parliamentary writers, the king) whom Hobbes may have had in mind and ahistorical, abstract addressees (separated by their different status in the contract argument). While these two types of addressees can, in practice, overlap, I concentrate in this article on abstract, ahistorical addressees, that is, on the abstract roles of sovereigns and subjects.
61. Compare L, Introduction, 16, 11–14 [1]: 'For by Art is created the great LEVIATHAN called a COMMON-WEALTH, or STATE, (in latine CIVITAS) which is but an Artificiall Man [...] and in which the *Soveraignty* is an Artificiall Soul [...]'.
62. Compare Arash Abizadeh, 'The Representation of Hobbesian Sovereignty: *Leviathan* as Mythology', in *Hobbes Today: Insights for the 21st Century*, ed. S.A. Lloyd (Cambridge: Cambridge University Press, 2013), 113, on the assertion that Hobbes primarily directs the message of the sovereign's fragility to subjects.
63. See L 30, 536, n. 76: 'If the great citizens, because they are great, demand reverence on account of their power, why should not the common people be revered, because they are many, and much more powerful? The sedition of the so-called 'Beggars' in Holland should be a warning of how dangerous to the commonwealth it is to despise the ordinary people'.
64. For a discussion of a distinct type of a 'body-based liberalism' that emerges in Hobbes's works compare my book *Thomas Hobbes' körpberbasierter Liberalismus. Eine kritische Analyse des Leviathan*. (Berlin: Duncker und Humblot 2016). For the puzzling combination of narration and argument in Hobbes's theory of authorization, see my paper 'Narration und Argument in der Politik. Das Konzept der Fiktionalität in der Autorisierungstheorie von Hobbes' Leviathan' in: *Narrative Formen der Politik*, ed. Wilhelm Hofmann et al. (Wiesbaden: Springer VS, 2014), 105–121, where I developed my first thoughts on the meaning and content of this theory.
65. See L 30, 520, 1–10 [175].
66. In this sense, my reading is close to Sreedhar's contention in *Hobbes on Resistance*, 166, that *Leviathan* is directed both to sovereigns and to subjects. Thus although my reading of authorisation theory differs from Sreedhar's reading (Sreedhar takes the subjects as the core addressees of the theory and the immunisation function as its core function, and my reading complements this with the sovereign as addressee and with the disciplining function of the theory), my reading builds on, and provides further support for Sreedhar's claim of *Leviathan's* two addressees – by showing how not only *Leviathan* in total, but also Hobbes's theory of authorisation can be understood as being directed to both sovereigns and subjects, and as being not problematic, but complex, elegant and highly politically useful.
67. For a discussion of the puzzling combination of absolutist and liberal elements in Hobbes's political theory, see Eleanor Curran, 'Hobbesian Sovereignty and the Rights of Subjects: Absolutism Undermined?' *Hobbes Studies* 32, no. 2 (2019): 209–30; Noel Malcolm, 'Thomas Hobbes: Liberal illiberal', *Journal of the British Academy* 4 (2016): 113–36; Gabriella Slomp, 'The Liberal Slip of Thomas Hobbes's

Authoritarian Pen', *Critical Review of International Social and Political Philosophy* 13, no. 2–3 (2010): 357–69; and Lucien Jaume, 'Hobbes and the Philosophical Sources of Liberalism', in *The Cambridge Companion to Hobbes's Leviathan*, ed. Patricia Springborg (Cambridge: Cambridge University Press, 2007), 199–216. An important approach to making sense of Hobbes's combination of opposing elements in his theory of sovereign authority appears in Hoekstra's work on Hobbes's 'doctrine of doctrines' in 'The De Facto Turn', 72.

68. My analytical approach of distinguishing two *systematic* types of addressees does not preclude a historical interpretation according to which the authorisation theory is directed at *historical* addressees (i.e. 'parliamentarian propagandists of the 1640s', Skinner, 'Hobbes on Persons', 161). While an analytical approach cannot answer all questions related to the authorisation theory, it demonstrates how authorisation theory can be freed from a typical charge of contradiction, how the theory is part of Hobbes's complex argumentative strategies, and how Hobbes represents a non-paradoxical liberal absolutism.
69. See Skinner on the assertion that the 'main burden of his [Hobbes's] political theory is that we have no option but to permit our sovereign to personate just such a monster'. Skinner, 'Hobbes on Persons', 175.
70. Compare Skinner, 'Bridge between Art and Philosophy', 12, regarding the complementary claim that the ultimate message of *Leviathan's* frontispiece is a counsel to sovereigns about the fragility of sovereignty and their dependency on their subjects as their creators.

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