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The context of Hobbes's theory of political obligation

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Two assumptions about the reception of Hobbes's political theory seem to be widely accepted.¹ The first is that the theory bore virtually no relationship to any other political ideas of its time.² It was 'an isolated phenomenon in English thought, without ancestry or posterity'.³ The second is that it proved completely unacceptable. Hobbes's 'boldness and originality' provoked 'intense opposition',⁴ so that 'no man of his time occupied such a lonely position in the world of thought'.⁵ I want to suggest that both these claims stand in need of some reconsideration. One of my aims in presenting this argument will be to arrive at a more accurate picture of Hobbes's intellectual milieu. In particular, I shall argue that the intentions of his critics, as well as the ideological uses of his theory, have to some degree been misunderstood. But my main purpose is to suggest that a knowledge of Hobbes's intellectual milieu is not merely of historical but of exegetical significance for students of his thought. In particular, I shall argue that to recover the context in which his political theory was written is to be in a position to cast doubt on one prevailing interpretation of his theory of political obligation.

II

The belief that Hobbes was simply 'the *bête noire* of his age',⁶ and made his impact 'almost entirely by rousing opposition'⁷ appears to derive from

¹ This chapter is a much altered and updated version of an article that originally appeared under the title 'The Ideological Context of Hobbes's Political Thought' in *The Historical Journal* 9 (1966), pp. 286-317.

² I have allowed this claim to stand, but the two assumptions I cite are nowadays much less widespread than when this chapter was originally written. For a nuanced and authoritative survey of Hobbes's reception see now Goldie 1991 and cf. also Parkin 1999.

³ See, for example, Hill 1958, p. 91. ⁴ Trevor-Roper 1957, p. 233. ⁵ Mintz 1962, p. 155.

⁶ Gooch 1915, p. 23. ⁷ Stephen 1961, p. 67.

placing too much emphasis on the fulminations of his many clerical adversaries. There is no doubt that Hobbes was particularly singled out for his originality, particularly denounced for his heterodoxy. But he also gained a serious and to some extent a sympathetic hearing as a philosopher of politics in his own time. As we shall see in detail in chapter 11, this was particularly true on the continent of Europe. By the end of the century we find Bayle saluting him in his *Dictionnaire* as 'one of the greatest minds of the seventeenth century'.⁸ And within his own lifetime his political works were extensively translated,⁹ were studied and discussed by a number of jurists,¹⁰ and even began to acquire something of a popular following in Holland as well as France.¹¹ As Hobbes himself was fond of pointing out,¹² his influence 'beyond the seas' in his own lifetime was well-attested.¹³

Nor did Hobbes lack for a similar following in England. By the end of the century his works were beginning to be accepted as authoritative even by theorists of avowedly opposed temperament. He is hailed by Sir Peter Pett in *The Happy Future State of England* of 1688 as 'a great Enquirer into humane Nature' and Pett goes on to link him with Descartes as 'those two great Masters of Wit and Philosophy'.¹⁴ Charles Blount similarly refers to him as 'the great Instructor of the most sensible Part of Mankind',¹⁵ while even Shaftesbury acknowledges that 'Tom Hobbes I must confess a genius, and even an original among these latter leaders in philosophy'.¹⁶

This element of sympathetic as well as serious appraisal can be traced to the decade in which *Leviathan* was first published. As early as 1654, we find John Webster warning his readers in his *Academiarum Examen* against 'overrating ancient theories of statecraft, specifically on the grounds that 'our own Countreymen master Hobbs hath pieces of more exquisiteness, and profundity in that subject, than ever the Grecian wit was able to

⁸ Bayle 1697, vol. 3, pp. 99-103. 'Un des plus grands esprits du XVII. Siècle'.

⁹ Charles Cotton translated *De Cive* into English (see Hobbes 1989b) and for the attribution see Malcolm 2000a). Samuel Sorbiere and François du Verdus both translated it into French (see Hobbes 1649 and Hobbes 1660). Sorbiere also made a French translation of *De Corpore Politico* (see Hobbes 1652).

¹⁰ Putendorf 1692, VII. I, pp. 862-70; VII. II, pp. 870-96; VII. VI, pp. 972-9; Beckman 1679, p. 7; Gundling 1706, pp. 16-17 (a discussion of *De Cive*); Texor 1916, vol. 2, pp. 9, 82.

¹¹ For Holland see Vethuyssen 1651, p. 2; Court 1661 and for a discussion Blom 1995, pp. 101-28, 157-82. For France see Merlat 1985, pp. 219-22; Rothkrug 1995, pp. 116-30 (on Lartigue) and pp. 315-28.

¹² Hobbes 1640d, p. 433: 'as for his reputation beyond the seas, it fades not yet'.

¹³ Sorbiere 1620-2, vol. 2, pp. 456-516.

¹⁴ [Pett] 1688, pp. 21, 57. For the ascription, and a discussion, see Goldie 1984.

¹⁵ Blount 1693, pp. 104-5. ¹⁶ Shaftesbury 1900b, p. 414.

reach unto'.¹⁷ John Selden and Francis Osborne, both of whom arguably reveal Hobbesian traits in their own political writings, can also be ranked amongst the earliest sympathetic students of Hobbes's political works. Selden is known to have sought Hobbes's acquaintance on the strength of reading *Leviathan*,¹⁸ while Osborne speaks of Hobbes as one of those who have 'imbellished this doing Age'.¹⁹ Similarly James Harrington, in working out his own political theory during the 1650s, treated Hobbes's *Leviathan* as the only serious rival to his own neo-classical conception of a balanced constitution.²⁰ And although, as he said himself, he could not accept the 'gothic' balance for which Hobbes had argued, he believed 'that Mr. Hobbes is and will in future ages be accounted the best writer, at this day, in the world'.²¹

Hobbes's reputation amongst 'the solemn, the judicious' as John Eachard mockingly called them,²² was conceded at the time even by his adversaries. It is clear, moreover, that what disturbed them was not merely the alarming content of Hobbes's doctrines but the no less alarming extent to which they seemed to be gaining in popularity. As early as October 1651 we find Henry Hammond writing to Matthew Wren to lament the fact that *Leviathan* 'takes infinitely among the looser sons of the Church'.²³ Within two years of its publication, Alexander Rosse claimed to be expecting to be denounced himself for denouncing so fashionable a work.²⁴ By 1657 George Lawson was noting how much *Leviathan* is 'judged to be a rational piece' by 'many Gentlemen' and by 'young Students in the Universities'.²⁵ By 1670 Thomas Tenison felt obliged to admit that 'there is certainly no man who hath any share of the Curiosity of this present Age' who remains 'unacquainted with his Name and Doctrine'.²⁶ Clarendon noted around the same time how readily Hobbes's reputation seemed to weather every storm, and how much his works continue 'to be esteemed as well abroad as at home'.²⁷ By the time of his death Hobbes had grown 'so great in reputation', as John Whitehall irritably observed, that even apparently 'Wise and Prudent' men had come to accept his political views, which 'are daily undertaken to be defended'.²⁸

Doubtless Hobbes's opponents wished to emphasise the menace. But there is independent evidence of Hobbes's popularity. A catalogue of

'the most vendible Books in England' which happens to survive for the year 1658 includes all his works on political theory, and shows him one of the most saleable of all the authors listed under 'Humane Learning', surpassed in the number of his entries only by Francis Bacon and Walter Raleigh.²⁹ The printing histories of his political works certainly bear this out.³⁰ By 1668, as Peyps noted in his *Diary*, *Leviathan* was 'so mightily called for' that he had to pay three times the original price to get a copy off.³¹ Ten years later, the figure of Hobbes in John Eachard's *Mr Hobbes's State of Nature Considered* is able to taunt his detractors with the reflection that, despite their fulminations, his works 'have sold very well, and have been generally read and admired'.³²

The failure to stress this element of popularity has tended to give a misleading impression of the intentions of Hobbes's critics. They have been pictured as attacking a single source of heterodox opinion. Hobbes was attempting, we are told, 'to sweep away the whole structure of traditional sanctions', but this merely provoked 'a widespread re-assertion of accepted principles'.³³ This is not what his critics felt at the time. Rather they took themselves to be attacking the ablest presentation of a political outlook that was gaining dangerously in acceptability. To the more hysterical it even seemed possible to believe that 'most of the bad Principles of this Age are of no earlier a date than one very ill Book, are indeed but the spawn of the *Leviathan*'.³⁴ Certainly it was widely believed that 'Hobbs his Leviathan hath corrupted the geny of the nation'.³⁵ The fear that Hobbes had debauched a whole generation moved even his most statesmanlike critics. Richard Cumberland excused his long denunciation of Hobbes in his *De Legibus Naturae* of 1672 with the hope that his criticisms might go some way towards limiting the corrupting influence of Hobbes's nefarious doctrines.³⁶ And even Clarendon, writing from the bitterness of his second exile, claimed to be able to trace 'many odious Opinions' back to *Leviathan*, 'the seed whereof was first sowed in that Book'.³⁷

Other critics offered a different and perhaps more plausible explanation for the fact that, as Richard Baxter put it, Hobbes's works continued to be 'greedily sought and cried up'.³⁸ As several commentators

¹⁷ Webster 1654, p. 88.

¹⁸ Aubrey 1898, vol. 1, p. 369.

¹⁹ Osborne 1673, Sig. Pp. 6^r.

²⁰ For Harrington's critique of Hobbes see Fukuda 1997, pp. 75-90 and Skinner 1998, pp. 84-6.

²¹ Harrington 1977, p. 423.

²² [Eachard] 1673, The Author to the Reader, Sig. A. 4^v. For the attribution see Ure 1958, p. x.

²³ [Eachard] 1673, The Author to the Reader, Sig. A. 4^v.

²⁴ Rosse 1653, Sig. A. 4^v.

²⁵ Lawson 1657, Sig. A. 2^v. See Condren 1989 for Lawson and his critique of Hobbes.

²⁶ Tenison 1670, p. 2.

²⁷ Clarendon 1676, Sig. A. 3^r.

²⁸ Whitehall 1679, p. 3.

²⁹ London 1658, Sig. T. 3^r to Sig. Z. 1^v.

³⁰ Macdonald and Hargreaves 1952, pp. 10-14, 16-22, 30-6, 76-7.

³¹ Peyps 1970-83, vol. 9, p. 298.

³² Eachard 1958, p. 14.

³³ Bowle 1969, pp. 13, 43.

³⁴ Wolseley 1972, Sig. A. 4^v.

³⁵ Clark 1891-1900, vol. 2, p. 472; cf. also vol. 2, p. 116.

³⁶ Cumberland 1672, 'Prolegomena', Sig. E. 1^v to Sig. E. 2^r. For Cumberland on Hobbes see Parkin 1999.

³⁷ Clarendon 1676, Sig. A. 3^r.

³⁸ Baxter 1680, p. 8.

explained, it was due to the scoffing and atheistic temper of the age that Hobbes's works had come to enjoy such an undeserved and dangerous popularity.³⁹ This was Gilbert Burnet's judgement on Hobbes in his *History of My Own Time*,⁴⁰ as well as Francis Atterbury's diagnosis when he came to reflect, a generation later, on Hobbes's malign influence.⁴¹ The same point had already been made by several earlier adversaries. According to John Eachard, Hobbes's rudest and shrewdest critic, the age had thrown up so many people 'who were sturdy, resolved Practicans in *Hobbiism*' that they 'would most certainly have been so, had there never been any such man as *Mr. Hobbs* in the World'.⁴² William Lucy summed up the general feeling in his attack on *Leviathan* in 1657:

This book I find admir'd by many Gentlemen of sharp wits, and lovers of learning; the reason I attribute first to the *Genius* that governs this age, in which all learning, with Religion, hath suffered a change, and men are apt to entertain new opinions in any Science, although for the worse, of which sort are *Mr. Hobbs* his writings.⁴³

For these critics, Hobbes may not have been the sole cause, but he was certainly the leading symptom, of the increasingly sceptical and rationalist temper of the times.

The point on which all Hobbes's opponents agreed was that it was not merely Hobbes but the new and spreading malaise of 'hobbiism' that needed to be counteracted. It is true that 'hobbiism' was often applied as little more than a general epithet of alarm and abuse. The hobbiist villain became a stock character on the Restoration stage: Vizard in *The Constant Couple*, for example, comes on reading what appears to be *The Practice of Piety*, but is in fact *Leviathan* under plain cover.⁴⁴ The term 'hobbiism' in such contexts generally signified little more than a 'wild, Atheistically disposed' attitude to the powers that be, as one critic put it,⁴⁵ together with a presumed desire to 'subvert our Laws and Liberties, and set up Arbitrary Power'.⁴⁶ But the term was also used to describe a more specific moral and political outlook. When Isaac Newton, for example, confessed to John Locke that 'I took you for a Hobbiist', it is evident that both of them attached a clear meaning to the charge, as

well as regarding it as a grave accusation, one for which Newton was subsequently anxious to apologise.⁴⁷

When the term was applied in this way, it was generally used to refer to two specific doctrines. One was a view about moral and political obligation. The hobbiist was recognised as someone for whom the duty to obey an established government derives not from religious sanctions, but merely from calculations of individual self-interest. To be a hobbiist was to assume that everyone is concerned above all with their own self-preservation and to be willing in consequence to obey any power capable of affording them protection. As one anonymous critic complained, not only do 'the Hobbeans vainly fancy' that God has left it 'arbitrary to man' to institute political societies,⁴⁸ They also fancy that these societies should be governed 'according to the Principles of Equality and Self-preservation agreed to by the Hobbiists'.⁴⁹ These are the terms in which John Locke in his *Essay Concerning Human Understanding* contrasts a hobbiist with a Christian sense of obligation. The hobbiist, as Locke puts it, justifies the keeping of compacts and promises not by saying 'because God, who has the Power of eternal Life and Death, requires it of us', but 'because the Publick requires it, and the *Leviathan* will punish you, if you do not'.⁵⁰ As Locke was to confide in his commonplace book in 1676, 'a Hobbiist, with his principle of self-preservation, whereof himself is to be judge, will not easily admit a great many plain duties of morality'.⁵¹

The other doctrine regarded by contemporaries as distinctively hobbiist was described by one critic as a particular 'scheme of human nature'.⁵² To be a hobbiist was to regard mankind as basically antisocial, and to believe that we are 'compelled into Society merely for the advantages and necessities of life'.⁵³ According to the hobbiists, as Shaftesbury sardonically remarked, the state of nature is peopled by 'dragons, leviathans, and I know not what devouring creatures'.⁵⁴ This view of our natural condition as equivalent to 'a State of War' passed into general currency as a typically hobbiist belief.⁵⁵ In 1673, for example, John Dryden was censured for representing mankind in one of his plays 'in a Hobbian State of War'.⁵⁶ In 1691 William Shercock upheld the right to change allegiance when a ruler becomes incapable of governing on the grounds that society would otherwise 'dissolve into a Mob,

³⁹ For examples see Sypher 1950, pp. 235–8.

⁴⁰ Burnet 1897–1906, vol. 1, p. 334.

⁴¹ Atterbury 1723, p. 66.

⁴² [Eachard] 1673, 'The Author to the Reader', Sig. A, 3^v.

⁴³ [Lucy] 1657, Sig. A, 3^v. The text is signed 'William Pike', but Lucy himself supplies the attribution in Lucy 1663, his further and fuller attack on *Leviathan*.

⁴⁴ Farquhar 1700, p. 2. See Teeter 1936.

⁴⁵ *Sober Enquiry* 1673, p. 51.

⁴⁶ Crowne 1663, p. 49.

⁴⁷ Newton 1661, p. 280.

⁴⁸ *Letter to a Friend* 1673, p. 6.

⁴⁹ *Great Laws of Nature* 1673, p. 8.

⁵⁰ Locke 1979, I, III, 5, p. 68.

⁵¹ King 1839, vol. 1, p. 191; Locke 1997, p. 371.

⁵² *Animadversions* 1691, p. 16.

⁵³ *Confusion Confounded* 1654, p. 9.

⁵⁴ Shaftesbury 1900a, vol. 2, p. 83.

⁵⁵ *The Parallels* 1682, p. 12.

⁵⁶ *Character of the Roman* 1673, p. 3.

or Mr. Hobbs's state of Nature'.⁵⁷ By 1694, James Lowde felt obliged to admit in his *Discourse Concerning the Nature of Man* that to write about the natural sociability of mankind might be thought old-fashioned, since the assumption was so much at odds with the views of learned persons, among whom he specifically mentions Hobbes.⁵⁸ Similarly, the whig writers on political obligation – Locke, Sidney, Tyrrell, Mead – frequently allude to the fact that 'some Men' (as Locke darkly puts it), and especially Hobbes (as the others mention) have popularised the view that man's condition without government would be a *bellum omnium contra omnes*.⁵⁹

The extent to which these hobbist views were current in late seventeenth-century England has tended to be underestimated. When, for example, S. P. Lamprecht published his survey of 'Hobbes and Hobbism', he spoke of finding only one 'favourable' as opposed to fifty-one 'hostile' reactions to Hobbes's political theory during Hobbes's own lifetime.⁶⁰ It is clear that a good deal of information has been missed here. As I shall next seek to show, a considerable group of political writers, all contemporary with Hobbes, adopted precisely the so-called hobbist views that so disquieted Hobbes's more conventional critics. Moreover, several of these writers explicitly relied on Hobbes's authority in setting out their hobbist views, especially on the topic of political obligation.

III

The problem of political obligation became a major issue at two moments in the constitutional upheavals of the seventeenth century. The first was in 1649, immediately after the execution of Charles I and the establishment of the Commonwealth. The second was in 1689, immediately after the removal of James II and the acceptance of William and Mary. At both these junctures the new government raised the issue in an acute form by requiring oaths of allegiance to be sworn to its authority. This made the question of the grounds on which it might be appropriate to swear or withhold allegiance an inevitable topic of debate.

One suggested answer, put forward in 1649 and again in 1689, was that everyone should regard themselves as politically obliged on the

grounds that the new government was based on accepting the people's ultimate sovereign power, and stemmed from the removal of a ruler who had tyrannously sought to deny their rights. This was the direction of John Milton's thinking in his *Tenure of Kings and Magistrates* in 1649, and of John Locke's in his *Two Treatises of Government* in 1690. But a second and contrasting answer, also put forward in 1649 and 1689, claimed that the new government should be obeyed even if it could not be shown to reflect the will of the people or to have been rightfully instituted. This reaction has been much less studied, but was arguably of more importance at the time, since the adoption of the first answer – grounding political obligation on a theory of natural rights – was a sophisticated as well as a radical step to take in a society so widely committed to the belief that all political power is directly ordained by God.

The second suggestion was in turn defended in two different ways. One consisted of placing a strong emphasis on the providential origins of every kind of regime. The Pauline injunction to obey 'the powers that be' was taken to include all successfully constituted political authorities, whether or not they could be shown to possess a just or even a legal title to rule. Their title was taken to lie simply in their capacity to govern, for this capacity, it was said, must reflect the will and hence be the gift of God. The credit for originating this ingenious compromise between passive obedience and revolutionary change appears to be due to Francis Rous, a leading presbyterian member of the Long Parliament who went over to the independent party in 1649.⁶¹ Rous's brief tract of April 1649, *The Lawfulness of Obeying the Present Government*, presents exactly this argument, and was followed by an extensive pamphlet literature devoted to examining whether or not one could in conscience swear allegiance to the new Commonwealth regime.⁶² The revival of the same argument after 1689 was mainly the work of William Sherlock, the Dean of St Paul's, whose *Case of the Allegiance Due to Sovereign Powers* was published in 1691 in order to justify his decision, in common with many other clergymen, to take the new oaths of allegiance 'after so long a Refusal'. This too gave rise to an extensive pamphlet war, in which the merits of *de facto* theories of obligation were again debated at length.

This providentialist defence of *de facto* power was one of the arguments claimed to be hobbist in character. The accusation was acutely embarrassing, especially to Sherlock and his clerical supporters, and Sherlock

⁵⁷ [Sherlock] 1691a, p. 38. Locke quotes this remark in the commentary he wrote on Sherlock's book. See Locke 1997, p. 314.

⁵⁸ Lowde 1694, Sig. A, 5^r and Sig. A, 6^v.

⁵⁹ Locke 1988, II, 19, p. 280; Sidney 1990, pp. 55–6, 432. [Tyrrell] 1692–4, p. 777 (where he appears to agree); Mead 1689, Sig. B, 3^v–4^r.

⁶⁰ Lamprecht 1940, p. 32.

⁶¹ Rous's contribution to the debate about *de facto* powers is discussed more fully in chapter 10 below.

⁶² See Wallace 1964, p. 390 for Rous's tract and pp. 390–405 for the ensuing pamphlet war.

himself took some pains to counter it. As he admits, some claim 'that it is Hobbsism' to defend the right of possessors to be obeyed.⁶³ But this calumny, he insists, can readily be answered:

Those who say this do not understand Mr. Hobbs, or me; for He makes Power, and nothing else, to give Right to Dominion; and therefore asserts, That God himself is the Natural Lord and Governour of the World, not because He made it; but because he is Omnipotent; but I say, That Government is founded in Right, and that God is the Natural Lord of the World, because He made it.⁶⁴

Sherlock addressed the issue still more directly in a further pamphlet published later in the same year, in which he not only declared that 'their present majesties government' is 'thoroughly settled', but that 'we may submit to it, without asserting the principles of Mr. Hobbs'.⁶⁵

Such disclaimers did not prevent the 'engagers' of the 1650s or the *de facto* theorists of the 1660s from being energetically charged with hobbsism by their enemies. Sherlock and his followers may tell us, it was said, that they are endorsing the principles of the Church of England, but in fact they are reviving arguments from 'the Rebels in the Year' 42 and from the Advocates of Cromwell's Usurpation.⁶⁶ They may claim to be corroborating the doctrine of obligation found in the *Convocation Book*, but that text offers them 'but little service', whereas there are 'other Writings that would have done the trick to an hair, such as Hobs, Baxter, Owens, and Jenkins, etc.'. ⁶⁷ Hobbes, moreover, is seen as the determining influence. Several of the assaults on Sherlock ('the Doctor' to his more sarcastic opponents) seek to establish by textual parallels that, long before the Doctor's time, 'Mr. Hobbes hath taught the same'. 'The question', as one critic puts it, 'is whether Mr. Hobbes and the Doctor teach not the same doctrine' about the legal right and possession of sovereignty, and the transferring of allegiance to usurpers? The answer is that, on the question of political obligation, 'Hobbes and Sherlock are *fratres jureverni*, and it is not within the power of metaphysics to distinguish them'.⁶⁸ A similar comparison was mounted by another critic who claimed to show that 'Mr. Hobbs makes Power, and nothing else, give Right to Dominion. And pray does not the Doctor do the same? I am much mistaken if this be not the design of his Whole Book'.⁶⁹ A more

critical critic concluded that Hobbes's principles had actually been surpassed. For while 'Mr. Hobbes taught the Absolute Power of all Princes, only as a Philosopher, upon Principles of mere Reason', these latter-day hobbsists 'by Adding the authority of Scripture' make themselves 'sure of as profitable an Office in the State'.⁷⁰

Given that Sherlock was reviving the providentialist arguments originally put forward by Francis Rous, it was manifestly unfair – although polemically irresistible – to press the charge of hobbsism so vehemently. But there was another group of writers who developed a more authentically hobbsist line of thought, especially in the aftermath of the regicide of 1649, and it is on this group that I now wish to concentrate. According to these writers, submission is owed to any powers that be – including merely *de facto* powers – on the grounds of self-interest. The consequence of refusing allegiance to any government capable of protecting us will always be worse than the apparent inconvenience of ceding our rights to that government. The capacity of any government, regardless of its title to rule, to offer such protection is accordingly taken to be a sufficient reason for paying it allegiance. This was the rationalist and utilitarian form of *de facto* theory regarded by contemporaries both as Hobbes's own view of political obligation and as the view of a genuinely hobbsist following.

It is true that the list of theorists who espoused this view, and thought of themselves as followers of Hobbes, is short and contains no writer of the first rank. But the only way to compile such a list is on the basis of direct quotation and sympathetic discussion of Hobbes's political works. It needs to be recognised at the outset that these are particularly rigorous tests to apply to the conventions of seventeenth-century debate. The trend of the times was towards informality, even anonymity. Hobbes was not much cited, but nor was any other contemporary political writer. The fashion was to treat too much quotation as slavish, too much reading as a waste of time. Hobbes himself boasted to Aubrey that 'if he had read as much as other men, he should have knowne no more then other men'.⁷¹ Francis Osborne similarly argued that 'pregnant wits stifle their own natural fertility through a too long and frequent commerce with Books', and ridiculed the habit of constantly deferring to supposed authorities.⁷² John Selden laid it down as a maxim that 'in quoting of Books' you should cite only 'such Authors as are usually read', advising that 'others you may read for your own Satisfaction, but not name

⁶³ [Sherlock] 1691a, p. 15. ⁶⁴ [Sherlock] 1691a, p. 15.

⁶⁵ This is the full title of [Sherlock] 1691b. For the attribution see Goldie 1980, p. 558.

⁶⁶ *Ambler* 1691, p. 1.

⁶⁷ [Richardson] 1691, pp. 4–5. For the attribution see Goldie 1980, p. 555.

⁶⁸ *Examination* 1691, pp. 14, 15.

⁶⁹ *Dr. Sherlock's Case of Allegiance* 1691, p. 73; cf. also pp. 80–2 for alleged parallels with *Leviathan*.

⁷⁰ *Dr. Sherlock's Two Kings* 1691, p. 13.

⁷¹ Osborne 1673, p. 582.

⁷² Aubrey 1898, vol. 1, p. 349.

them'.⁷³ Another of Hobbes's friends, Sir William Petty, offered similar advice in a hyperbolic letter of 1653 to Robert Boyle. Not only does he warn Boyle against 'continual reading', which 'weakens the brain', but roundly informs him that, if he occupies himself with contemporary scribblers, he will merely be 'corrupted with lies, disgusted with absurdities, and tired with impertinencies'.⁷⁴

It seems likely, moreover, that even among those who may have felt Hobbes to be worthy of citing as an authority, the number may have been further diminished by considerations about Hobbes's dangerous reputation. A man who had been named in Parliament as the author of works that 'tend to Atheism, Blasphemy, or Profaneness' was not a writer to cite without good cause as an authority on anything.⁷⁵ This type of suppression is of course impossible to prove. But it was regarded at the time as beyond dispute that, among prudent writers who would 'scarce sinper in favour or allowance' for Hobbes, there were many who were none the less hobbits for that.⁷⁶ It is certainly clear that in seventeenth-century England there were political opinions that one might entertain, even discuss, but much prefer not to see printed. Some argued that Hobbes himself had acted too boldly in publishing doctrines which 'though he thought them to be true' were 'too dangerous to be spoken aloud'.⁷⁷ There are several signs that those who sympathised with Hobbes's views felt able to say so more readily in private than in published form. We find 'Hobbesism' anatomised without commentary only in personal commonplace books.⁷⁸ William Rand is one example of an early reader of *Leviathan* who confessed his admiration for Hobbes in glowing terms, but only in the pages of his private correspondence.⁷⁹ Sir William Petty provides another example of a contemporary who quoted Hobbes in his private memoranda and singled him out as a leading writer on political theory,⁸⁰ but never once mentioned Hobbes in any of his published works.

When such considerations are given due weight, it is by no means necessarily tendentious to suggest that there may have been more silent reliance on Hobbes by contemporary writers than appears in their published works. The Hobbesian premise, for example, that civil association

must be based on the mediation of basically anti-social impulses can be found in several of the 'engagement' tracts of the early 1650s.⁸¹ It can also be found in a number of treatises from the same period on the need for absolute power,⁸² as well as in the works of Francis Osborne,⁸³ Thomas White⁸⁴ and Matthew Wren from later in the same decade.⁸⁵ The implication that, as Hobbes puts it in *Leviathan*, there is a 'mutuall Relation between Protection and Obedience'⁸⁶ is likewise echoed in several of the 'engagement' tracts.⁸⁷ We also encounter the argument in Lewis de Moulins' *Power of the Magistrate*, in which he claims that 'possession is the great condition required for the duty of Allegiance'.⁸⁸

Among these writers, moreover, we do in fact find a number of explicit acknowledgements of Hobbes's authority. The earliest citations can be found in an anonymous tract of 1649 entitled *The Original & End of Civil Power*,⁸⁹ and in John Hall of Durham's treatise of 1650, *The Grounds and Reasons of Monarchy Considered*.⁹⁰ We also find Hobbes cited in a similar way by a number of writers from the later 1650s.⁹¹ It is true that these citations tend to fall away after the Restoration, from which point we may perhaps date the beginnings of Hobbes's merely sinister reputation. But as late as 1660 we still find him invoked by John Heydon in *The Idea of the Law* as an authority on the law of nature and nations.⁹²

The most significant of these appeals to Hobbes's authority can be found in the 'engagement' controversy of the early 1650s. One view that the engagers associate with Hobbes's name is that everyone is capable of reckoning the necessity of submission, since everyone shares a paramount desire for self-preservation and peace. On the one hand, as Michael Hawke maintains in *Killing Is Murder*, 'the natural State of man, before they were settled in a Society, as Master Hobbs truly saith, was a meer warre'.⁹³ But on the other hand, as Hawke had earlier argued in his *Right of Dominion*, the recognition of this fact means that 'every one hath sufficient power to rein, and moderate his outward demeanor', so that

⁸¹ For example, in *Engagement Vindicated* 1650, pp. 5–6; in [Dun] 1650a, pp. 13–14 and in [Dun] 1650b, p. 20.

⁸² For example, in *Confusion Confounded* 1654, p. 9; Hall [of Durham] 1654, pp. 13–14, 98.

⁸³ [Osborne] 1651, pp. 158–9.

⁸⁴ White 1655, pp. 44–5.

⁸⁵ Wren 1659, pp. 49–50.

⁸⁶ Hobbes 1696, Conclusion, p. 491.

⁸⁷ See, for example, *Conscience Puzze'd* 1650, p. 7; *Discourse* 1650, p. 11; Eason 1650, p. 8; Elcock 1661, p. 47.

⁸⁸ Moulins 1650, p. 29.

⁸⁹ Philodemus 1649, p. 15.

⁹⁰ Hall 1650, Sig. A, 4^r–v.

⁹¹ For example, Scot 1656, p. 140; Harrington 1977, pp. 712, 716, 722, 724–5.

⁹² Heydon 1660, pp. 125, 151. See also *Treatise of Humane Reason* 1674, pp. 44–5. The discussion in Heydon 1660 is taken virtually word for word from Nathaniel Culverwell's *Discourse of the Light of Nature* (1652).

⁹³ Hawke 1657, p. 7.

⁷³ Selden 1927, p. 24.

⁷⁴ Fitzmaurice 1895, pp. 45–6.

⁷⁵ [Bauchard] 1673, 'The Author to the Reader', Sig. A, 4^r.

⁷⁶ Pierce 1658, Sig. * 3^r–4^r.

⁷⁷ BL Sloane MSS, 904, 1438.

⁷⁸ See, for example, Rand to Harlib, 18 July 1651, Harlib Papers (Slefield) 62/30/4A, where Rand writes that Hobbes 'is the only protestant I know of whom for ingenious & free spanish notions I dare compare to Sir Kenelm Digby, White or Des Cartes'.

⁷⁹ Petty 1927, vol. 1, pp. 122, 155, 219; vol. 2, p. 5.

in this sense is Mr. Hobbs saying true, that the law of nature is easily kept'.⁹⁴ The basic point, as an anonymous writer adds, is that in Hobbes's view political obligation arises because men are 'forced thereto by a kind of necessity for prevention of those evils, which would necessarily be the consequents of having all things common'.⁹⁵ In the *Right of Dominion* the same contention is expressed in even more hobbist terms. Citing 'Mr. Hobbes, *Philosophical Rudiments*' as his source, Hawke declares that 'it is the law of nature that men live peaceably, that they may tend the preservation of their lives, which whilst they are in war they cannot, and which is the first and fundamental law of nature'. To which he adds – again citing Hobbes as his authority – that what this shows us is that 'Humane nature it selfe' is 'the Mother of the natural law'.⁹⁶

The 'Corollarie' of this view, Hawke goes on, is that 'possession is the great condition for our obedience and allegiance'. For 'as Master Hobbes saith, we cannot doubt that 'a sure and unresistable power confers the Right of Dominion'.⁹⁷ The same inference had already been drawn by Alberus Warren in his *Eight Reasons Categorical* of 1653. According to Warren 'the question' during the revolution 'never was whether we or any other people ought to be governed by an Arbitrary power'. There must always be some such power in any state if its citizens are to be protected. To know who holds that power, moreover, is equivalent in Warren's view to knowing whom we ought to obey. It follows that 'our present Governours, I say, without more adoe, do not offend the letter of the Law in rationally providing for the people: because they are above the Law of men and (taken collectively) to those ends aforesaid; else we should be in an hostile condition, as Mr. Hobbs well observeth'.⁹⁸

IV

As well as being cited by a number of avowed admirers, Hobbes's name is invoked by several contributors to the 'engagement' controversy who arrive at their conclusions independently of studying Hobbes's works. They quote him not as the source of their opinions, but rather in corroboration of a number of views they already hold. They provide the best evidence that Hobbes's theory was by no means 'an isolated phenomenon in English thought'.⁹⁹ Rather it represented a contribution (and was perhaps intended as a contribution) to a particular strand of

debate about the rights of *de facto* powers at the climax of the English revolution.

The most important of these *de facto* theorists is Anthony Ascham, who published *A Discourse* in 1648, concerned (in the words of its subtitle) with *What is particularly lawfull during the Confusions and Revolutions of Governments*.¹⁰⁰ Ascham begins in hobbist vein by describing 'the choicelickness of war' as a tempest continually threatening to overwhelm civil society.¹⁰¹ His equally hobbist conclusion is that a willingness to 'owne' and obey whatever powers may be capable of protecting us provides us with the sole means of escaping from the mutability of things.¹⁰² Part 1 of the *Discourse* argues for this conclusion from the almost paradoxically Hobbesian premise that 'there is nothing in the skin (as they say) which will not doe its best to save it'.¹⁰³ This leads to a discussion, in chapter 3, of 'first-Possessors', who were able 'without scruple of doing other wrong' to 'place their Bodies where they would'.¹⁰⁴ This account is then modified in chapter 4 – very much in the manner of Grotius – by positing a situation 'of extreame or naturall necessity' in which men were obliged to revert to a more communal system.¹⁰⁵ Two contrasting conclusions are then said to follow. On the one hand, appropriation has always been accepted since primitive times as a good enough basis for civil association. The best title, in short, has always been taken to be possession.¹⁰⁶ But on the other hand, even rights of possession can never be absolute, for they lose their priority, in times of emergency, to a basic Hobbesian right to life.

These assumptions lead, in part 2 of Ascham's *Discourse*, to a yet more hobbist argument about the mutual relations between protection and obedience. The specific issue on which Ascham unsurprisingly focuses is whether a true subject can fittingly take oaths and pay allegiance to a usurping power. Here he exhibits complete disregard for any questions about the rightful origins or the best form of government. For him the only question is whether the holders of power are capable of protecting our lives. If they cannot protect us, then our obligations are at an end. 'Nature commends me to myself for my own protection and preservation' when no one else is able to protect me, so that 'he who hath sworn Allegiance and fidelity to his Prince, is absolved, and set at liberty, if his Prince abandon his Kingdom'.¹⁰⁷ If, however, our government is capable of assuring our life and liberty, then we have a duty to obey

⁹⁴ Hawke 1655, p. 25.

⁹⁵ Philodemus 1649, p. 15.

⁹⁶ Hawke 1655, pp. 27, 29; cf. also p. 30.

⁹⁷ Hawke 1657, p. 12.

⁹⁸ Warren 1653, p. 5.

⁹⁹ Trevor-Roper 1957, p. 233.

¹⁰⁰ Ascham 1648.

¹⁰¹ Ascham 1648, Sig. 4^r.

¹⁰² Ascham 1648, pp. 24–5, 87–8.

¹⁰³ Ascham 1648, p. 4.

¹⁰⁴ Ascham 1648, pp. 10–14.

¹⁰⁵ Ascham 1648, pp. 14, 16–17.

¹⁰⁶ Ascham 1648, pp. 22–3.

¹⁰⁷ Ascham 1648, pp. 76–7.

it, regardless of any questions about the legal origins of its power. The touchstone throughout is necessity; and especially 'necessity of warre'. We must obey if we are protected, although we are released 'of all imaginable duty' when such protection fails.¹⁰⁸

Ascham's view of the inescapably conditional nature of all political covenants might appear to be in contradiction to the other work he wrote on contractual relationships, his manuscript tract of 1647 entitled *Of Marriage*.¹⁰⁹ There he begins by stressing that, after a man 'hath engaged himself in that fellowship of souls and bodies, which must last till death, hee is noe longer himself, and makes use of his Liberty but once; to loose it for ever after all his life'. But Ascham makes it clear that he regards the marriage contract as unique, arguing that 'all other' contracts may 'cease by mutual dissent'. It is only the conjugal relationship, as he rather gloomily puts it, that 'represents the funeral of our Liberties'.¹¹⁰

The language as well as the assumptions of Ascham's *Discourse* are strongly hobbist in character. So is the language of his tract *Of Marriage* when he speaks about ordinary covenants. But Hobbes is never mentioned in either of these works, nor is his authority ever invoked. There is, in short, no evidence that at this stage Ascham had any knowledge of Hobbes's only published work of political theory, his *De Cive* of 1642. In 1649, however, Ascham reissued his *Discourse* in a second edition, its length augmented by ten chapters, its title shortened to *Of the Confusions and Revolutions of Governments*.¹¹¹ Ascham now reverts (at the end of part 2) to his earlier discussion about the 'natural' state and character of man. Not only does he expand his earlier account, but he now corroborates it by reference to the authority of Hobbes. First he adds a justification of his views about political obligation by considering the origins of magistracy and civil government in a state of nature. He now deduces the obligation of subjects to obey whatever power is capable of affording them protection from the typically Hobbesian assumption that no civil society would otherwise be possible. Such liberty would be 'a great prejudice to us; for hereby we were clearly left in a state of warre, to make good this naturall free state of the world, which refer'd all to the tryall of force, and not of law, against which no one could offend'. The only solution is to submit to a single source of power, for 'Mr. Hobbs his supposition (if there be

two Omnipotents, neither would be oblig'd to obey the other) is very, pertinent and conclusive to this subject'. Finally, Ascham adds further corroboration of his views about the mutual relation between protection and obedience. He repeats his earlier contention that any failure of our rulers to protect us automatically licenses a shift of allegiance. But he now calls in two greater authorities to underline his point. The change is justified whenever 'as Grotius and Mr. Hobbes say) there be a detraction of command in the person of whom we speak, or if the country be so subdiv'd, that the Conquerours can no longer be resisted'.¹¹²

A further use of Hobbes's authority to lend weight to an already completed argument can be found in the writings of Marchamont Nedham. So close indeed is Hobbes's account of political obligation to the arguments used by Nedham and other *de facto* theorists to justify the rule of the Rump that, in the pages of *Mercurius Politicus*, the official newspaper that Nedham edited, Hobbes's doctrine acquired the somewhat inviolable status of propaganda for the new Commonwealth. During January 1651, all four of the editorials prefacing Nedham's weekly news-sheet consisted of unsigned extracts from Hobbes's *De Corpore Politico*.¹¹³ Nedham started with the passage in which Hobbes had spoken of the lawfulness of subjecting ourselves to invading powers in the name of preserving our lives.¹¹⁴ In the second week he printed Hobbes's defence of the reasonableness of relinquishing our rights in order to obtain protection and defence.¹¹⁵ In the third week he added Hobbes's account of the need to transfer as much power as possible to our rulers if we are to receive security in return.¹¹⁶ Finally he printed Hobbes's assurance that we cannot be said to be acting against our conscience if we obey existing laws, since in following the law we shall be following our conscience at the same time.¹¹⁷

Nedham illustrates in his own writings as well as in his journalism how readily his political stance can be supported by the authority of Hobbes. This can best be observed in his *Case of the Commonwealth of England, Stated*, which went through two editions in 1650. Nedham's aim is to provide (in part 1) a general account of the 'Necessity and Equity' of submission to the powers that be, and to vindicate (in part 2) the authority of the

¹⁰⁸ Ascham 1648, pp. 92–3.

¹⁰⁹ [Ascham] *Of Marriage*, Cambridge University Library MS Gg. 1. 4, fo. 1. The tract is untitled, but I have used as a title its opening words.

¹¹⁰ [Ascham] *Of Marriage*, Cambridge University Library MS Gg. 1. 4, fos. 1, 4.

¹¹¹ Ascham 1649c. The title reads 'governments' in all the copies I have seen.

¹¹² Ascham 1649c, pp. 108, 119.

¹¹³ Frank 1961, pp. 257–8 notes that Hobbes's authority was also invoked on at least two other occasions in Nedham's newspaper.

¹¹⁴ *Mercurius Politicus* 1651a, p. 503; cf. Hobbes 1650, pp. 57–8.

¹¹⁵ *Mercurius Politicus* 1651b, p. 519; cf. Hobbes 1650, p. 64.

¹¹⁶ *Mercurius Politicus* 1651c, pp. 535–6; cf. Hobbes 1650, pp. 66–7.

¹¹⁷ *Mercurius Politicus* 1651d, pp. 551–2; cf. Hobbes 1650, pp. 140–1.

new Commonwealth regime. The central contention of his work, as of Ascham's, is the Hobbesian claim that all government stems from our need to protect ourselves from each other by way of yielding our rights to some common power. The maintenance of such a power is said to be the sole alternative to anarchy. In part 2 of the *Case* Nedham uses this claim to denounce the changes proposed by the royalists, the Levellers and all other enemies of the new regime. In the central chapter of part 1 he simply states it as axiomatic that 'there being a necessity of some government at all times for the maintenance of civil conversation and to avoid confusion, therefore such as will not submit, because they cannot have such a governor as themselves like, are in some sense mere anarchists'.¹¹⁸

Nedham is thus led, like Ascham, to the bleak conclusion that, since government is an absolute necessity, political obligation must be owed to any regime capable of sustaining political order. He has no qualms about the implication that allegiance may shift with events. The wheel of fortune, as his opening chapter observes, turns in unpredictable but irrevocable ways. Once it has turned against a particular government, its citizens will merely be building 'castles in the air against fatal necessity' if they try 'to maintain a fantasy of pretended loyalty'.¹¹⁹ There can be no duty to remain loyal to a rightful as opposed to a successful *de facto* power. Nedham insists at the end of chapter 2 that no such distinction can usefully be upheld. On the one hand, 'the power of the sword ever hath been the foundation of titles to government'. And on the other hand, the people have 'never presumed to spurn at those powers', but have 'for public peace and quiet' paid a patient submission to them.¹²⁰

Nedham's defence of *de facto* power is mounted without reference to Hobbes. As in the case of Ascham, however, Hobbes's authority is subsequently invoked to corroborate the argument. When Nedham issued the second edition of his book later in 1650, he added an appendix explaining that, although he believed his conclusions to be 'sufficiently proved', he had decided 'to fasten them more surely upon the reader' by 'inserting some additions' from Salmasius and 'out of Mr. Hobbes, his late book *De Corpore Politico*'.¹²¹ The closing pages of the appendix accordingly consist of extracts from Hobbes's book, from which a topical and wholly Hobbesian moral is duly drawn:

It may plainly be inferred that since no security for life, limbs, and liberty (which is the end of all government) can now be had here by relinquishing our right of self-protection and giving it up to any other power beside the present, therefore it is very unreasonable in any man to put himself out of the protection of this power by opposing it.¹²²

Stated positively, Nedham adds, the moral of Hobbes's account is that 'since there is no other possible way to preserve the well-being of this nation but by a submission to the present powers', it follows that 'we may pay subjection to them in order to our security'.¹²³ With these invocations of Hobbes's authority Nedham rests his case.

V

When Sir Robert Filmer came to write his shrewd critique of Hobbes's political theory, he thought of it not in isolation – as Hobbes's more recent commentators have tended to do – but rather as the expression of an outlook common to 'Mr. Selden, Mr. Hobbes, Mr. Ascham and all others of that party'.¹²⁴ The appropriateness of linking these names – to which we may now add those of Nedham, Hawke, Warren and others – has, I hope, been sufficiently vindicated. But it remains to fulfil my promise at the outset and try to indicate how a failure to take account of this context has arguably had a damaging effect on the exegesis of Hobbes's political thought, and notably on the understanding of his theory of political obligation.

One recent trend¹²⁵ in the interpretation of Hobbes's theory of obligation has consisted of increasing the emphasis on his connections with a more traditional moral outlook. The suggestion has been that his theory can and ought to be detached from its 'scientific' premises and grounded instead on a doctrine of natural law. Howard Warrender, the most persuasive commentator to follow this path, has reformulated Hobbes's account of political obligation in the language of moral duty. A subject comes to feel obliged, on this reading, not primarily by making calculations of oblique self-interest, but rather by acknowledging a prior obligation to obey the laws of nature in virtue of recognising them to be the commands of God. Hobbes is thus treated as 'essentially a natural

¹¹⁸ Nedham 1669, p. 136. ¹²³ Nedham 1669, p. 135.

¹¹⁹ Filmer 1991, p. 281; cf. also p. 237.

¹²⁰ The trend is no longer recent, as it was when I originally wrote this chapter. Rather it can now be seen, as Tuck 1989, pp. 110–11 points out in his survey of the historiography, to be a phase of discussion particularly characteristic of the 1950s and 1960s, at the end of which period this chapter was first published.

¹¹⁸ Nedham 1669, p. 30.

¹¹⁹ Nedham 1669, p. 14.

¹²⁰ Nedham 1669, pp. 27–8.

¹²¹ Nedham 1669, p. 129.

law philosopher' who believes that 'the laws of nature are eternal and unchangeable' and that, 'as the commands of God, they oblige all men who reason properly, and so arrive at a belief in an omnipotent being whose subjects they are'.¹²⁶

Warrender's reading has been endorsed by John Plamenatz¹²⁷ and further elaborated by F. C. Hood. According to Hood there is a dichotomy in Hobbes's theory between an 'artificial' and a 'real' system of obligation, a dichotomy only resolved when Hobbes 'goes behind his philosophic fiction of command without a commander to the reality from which the fiction was derived, when he says that the second law of nature is the law of the Gospel'.¹²⁸ The basic contention underlying these accounts can best be summarised in the words of A. E. Taylor, the first interpreter to put forward this view of Hobbes's theory of obligation. Hobbes, we have to assume, 'meant quite seriously what he so often says, that the "natural law" is the command of God, and to be obeyed *because* it is God's command'.¹²⁹

I cannot myself find a single passage, at least in *Leviathan*, in which Hobbes presents the deontological argument that, according to Taylor, he 'so often' enunciates. But it is not my intention to ask directly, as a matter of textual exegesis, whether this interpretation offers the best account of Hobbes's meaning. What I want to suggest is that the relationship between Hobbes's argument and the context in which he wrote it bears on this issue more directly than has been supposed. For the view of Hobbes's intellectual relations implied by these accounts seems to me historically incredible. My suggestion is that the weight of this testimony is perhaps sufficient (somewhat as Hume argued in the case of miracles) for any such interpretation to stand discredited.

If Hobbes intended to ground political obligation on a prior duty to obey the commands of God, then it follows that every contemporary – every follower, every opponent, every sympathiser – equally missed the point of his theory. Furthermore, they were all mistaken in exactly the same way. Consider first the hobbist followers I have discussed. They all locate the grounds of political obligation in the paramount need, for self-protection, and trace this paramount need to man's nasty and brutish nature. Many of them, moreover, specifically cite Hobbes as an authority on both these crucial points. This was also the popularly

received impression of Hobbes's intentions amongst his contemporaries. One commonplace book in which 'Mr. Hobbs creed' is anatomised summarises him as having taught 'that the prime law of nature in the soul of man is that of temporal self-love' and 'that the law of the civil sovereign is the only obliging rule of just and unjust'.¹³⁰ A further summary presents us with 'The Principles of Mr Hobbs' under five headings:

- 1 That all Right of Dominion is founded only in Power
- 2ly That all Moral Righteousnesse is founded only in the Law of the Civill Magistrate
- 3ly That the Holy Scriptures are made law only by civill Authority
- 4ly That whatever the Civill Magistrate commands is to bee obeyed notwithstanding contrary to Divine Morrall laws
- 5ly That there is a Desirable Glory in Being and being reputed an Atheist.¹³¹

We encounter the same assumptions once again when Daniel Scargill, the 'penitent Hobbist', was forced to recant his views before the University of Cambridge in 1669. The tenets that he and his accusers both regarded as pre-eminently those of Hobbes were that 'all right of dominion is founded only in power', and that 'all moral righteousness is founded only in the positive law of the civil magistrate'.¹³²

Consider next the position of Hobbes's contemporary critics. These writers were themselves Christian moralists, who might have been expected to be particularly attuned to seeing similar overtones in Hobbes's political works. Most of them, however, go out of their way to emphasise what Clarendon calls Hobbes's 'thorough novelty'.¹³³ They see in Hobbes no element of a traditional moral outlook. They see only a dangerous iconoclast, someone who (in John Bramhall's words) 'taketh a pride in removing all ancient land-marks, between Prince and subject, Father and child, Husband and Wife, Master and servant, Man and Man'.¹³⁴ All these critics agree, moreover, on the form that Hobbes's iconoclasm takes. They associate him with two particular doctrines, both of which (as Clarendon remarks) would 'overthrow or undermine all those Principles of Government, which have preserv'd the Peace of this Kingdom through so many ages'.¹³⁵

They assume in the first place that Hobbes grounds political obligation on calculations of rational self-interest, and consequently believed that subjects become obliged to any power possessing the capacity to protect them. His point of departure, in the eyes of these critics, is not

¹²⁶ Warrender 1957, p. 322.

¹²⁷ See Plamenatz 1965, a partial endorsement, and see also Warrender 1965, a response to Plamenatz.

¹²⁸ Hood 1964, p. 97. For a critique of Hood's reading of *Leviathan* see Skinner 1964.

¹²⁹ Taylor 1965, p. 49.

¹³⁰ BL Sloane MS 1458, fo. 35^r.

¹³¹ See Axtell 1965 and refs. there.

¹³² Bramhall 1658, p. 542.

¹³³ BL Sloane MS 604, fo. 14^r.

¹³⁴ Clarendon 1676, Sig. A, 1^r.

¹³⁵ Clarendon 1676, Sig. A, 3^v.

with the requirements of natural law but with the fears and needs of natural man. When the University of Oxford issued its condemnation of heterodox books in 1683, Hobbes was mentioned and denounced by name as the writer who had invented the claim that 'Self preservation is the fundamental law of nature and supercedes the obligation of all others'.¹³⁶ This was also the view of Hobbes's contemporary readers. As Filmer, Warwick and others unhesitatingly declare, Hobbes believes that there is an equal 'right of nature' in everybody, and that civil society can only 'arise from necessity and fear' upon these 'Principles of Equality and Self-preservation'.¹³⁷

The other doctrine that Hobbes's critics particularly associated with his name was that, when citizens are not adequately protected, their obligations automatically cease. Hobbes intended no less, as Clarendon maintains, than to give subjects 'leave to withdraw their obedience' from their sovereign at the very moment 'when he hath most need of their assistance'.¹³⁸ This was seen as final proof that, as Thomas Tension puts it, Hobbes has no belief in the 'obligation laid upon us by Fidelity (the Law of God Almighty in our nature) antecedent to all humane covenants'.¹³⁹ He instead makes 'civil laws the rules of good and evil'.¹⁴⁰ Far from seeing in Hobbes any element of their own natural law doctrine, these critics treat his account of political obligation as the most dangerous assault on it. 'Where these Principles prevail', as Bramhall concludes, 'adieu honour, and honesty, and fidelity, and loyalty: all must give place to self-interest'.¹⁴¹

Some modern commentators have taken the heroic course of denying that any of this evidence matters, on the grounds that 'any modern reader can see the general irrelevance' of these critics.¹⁴² But to concede this claim is to complete the paradox. Hobbes himself is turned into the least credible figure of all. He has to be represented as articulating a traditional theory of natural law in a manner so convoluted that it was everywhere taken for the work of a man prepared (in Bramhall's memorable phrase) to 'take his Sovereign for better, but not for worse'.¹⁴³ And despite his well-known predilection for the quiet life, despite his terror at being arraigned for heresy, he has to be represented as failing altogether to disown the alarmingly heterodox writers who cited his authority, or to disarm his innumerable critics by pointing out their complete misunderstanding of

his arguments. It becomes extraordinary that Hobbes never did any of these things.

Hobbes's followers and critics are turned into scarcely less credible figures. It becomes difficult in the first place to understand why his opponents should have felt so threatened. A more careful reading of his works would have shown them, as Hood insists, that there is 'nothing that is original in Hobbes's moral thought'.¹⁴⁴ A reading of any of the writers who invoked his authority, however, would have revealed a highly original view of political and moral obligation of exactly the kind that they claimed (mistakenly, we are told) to find in Hobbes's own works. It becomes hard to understand why it should have been Hobbes, rather than these other writers, on whom they continued to focus their attacks.

Finally, it becomes even harder to understand why any of Hobbes's avowed followers should have troubled to cite his authority. All of them had worked out a view of political obligation of an avowedly anti-deontological character. All of them (we are assured) had in any case completely misunderstood the writer whom they all continued (without eliciting any protest) to cite as a leading exponent of their own belief that political obligation and protection are mutually related. It becomes clear, in short, that however plausible the deontological interpretation of Hobbes's theory of obligation may be as a reading of *Leviathan*, the price of accepting it is to remove most of the points of contact between Hobbes and the intellectual milieu in which he lived and worked.

VI

My intention, in this preliminary attempt to surround Hobbes's theory of political obligation with its appropriate ideological context, has been to argue a methodological as well as an historical case. I am suggesting that a knowledge of the sort of historical information I have provided is not merely desirable as 'background' to the study of a given writer. It can also be deployed as a further test of plausibility, apart from the evidence of a writer's own works, for any suggested interpretation of those works. I am suggesting, that is, that it has been a mistake to assume, in the case of Hobbes, that the 'question of what his theory is' (as Warrender puts it) can properly be regarded as 'prior' to, and separate from, the question of its intellectual relations and the climate of opinion in which it was formed.¹⁴⁵ Any interpretation must imply some links between a given theory and the

¹³⁶ 'Judgement . . . of the University' in Wilkins 1737, vol. 4, pp. 610-12.

¹³⁷ Filmer 1991, pp. 187-8; Warwick 1694, p. 55; *Great Laws of Nature*, p. 8.

¹³⁸ Clarendon 1676, p. 90.

¹³⁹ Tension 1670, p. 147.

¹⁴⁰ *Examination of the Arguments*, p. 15.

¹⁴¹ Bramhall 1658, p. 337n.

¹⁴² Brown 1962, p. 337n.

¹⁴³ Bramhall 1658, p. 519.

¹⁴⁴ Hood 1964, p. 13.

¹⁴⁵ Warrender 1957, p. ix.

circumstances in and for which it was produced. My general conclusion is that one of the conditions for accepting any suggested interpretation of a political theory should be that these links must themselves be of an historically credible kind. My particular conclusion is that this condition is so much lacking, in the case of the deontological reading of Hobbes's theory of political obligation, that the validity of this interpretation must for this reason alone be regarded as questionable.

10

*Conquest and consent: Hobbes and the
engagement controversy*

1

The opening months of 1649 saw the climax of the English revolution: the king was executed, the monarchy and House of Lords abolished, the Commonwealth of England proclaimed. But this outcome was far more radical than most moderates in the presbyterian party had wanted, and far more revolutionary than the instinctive royalism of most English people could readily countenance. One of the immediate tasks of the new government was accordingly to persuade such moderate and hostile groups that the revolution was really over. They had to be given reasons for 'engaging' with the newly established Commonwealth, accepting and swearing allegiance to it rather than trying to continue the fight.¹ There was a need, in other words, for a theory of political obligation in terms of which the new government could be legitimated. And it was clear that any such theory would in turn have to satisfy two contrasting conditions. It would need to be couched in a sufficiently familiar form to be acceptable to presbyterian and even royalist opinion. But it would need at the same time to be capable of performing the revolutionary task of justifying the duty to obey a merely *de facto* and usurping political power.

The Council of State was plainly aware of the need, which it sought to meet in March 1649 with its own Declaration, 'expressing the grounds of their late proceedings, and of setting the present government in the way of a free state'.² The arguments of the Declaration echoed those of a number of government propagandists, notably John Milton in his *Tenure of Kings and Magistrates*, first published in February 1649.³ The basic

¹ This chapter is a revised and updated version of an essay that originally appeared under the same title in *The Interregnum: The Quest for Settlement*, ed. G. E. Aylmer (London, 1972), pp. 79–98.

² To 'engage' with the new government was to accept the oath of 'engagement' to its authority.

³ See *Declaration* 1649, and for its significance in the ensuing controversy see Wallace 1968, pp. 44–5.

⁴ For the date of publication (13 February 1649) see Dizelzainis 1991, p. xxvii.