

## Thomas Hobbes and the Making of Popular Sovereignty

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### INTRODUCTION

Scholars often portray the modern idea of popular sovereignty as having superseded premodern conceptions that invested supremacy in the divine right of kings, the medieval “lore of the Right of Communities,” exclusive privileges of class or caste, or even in the faculty of reason itself.<sup>1</sup> In this familiar narrative, the concept of *popular* sovereignty – that is to say, sovereignty of the *people* – is juxtaposed with other modes of sovereignty that are *non-popular*: for example, rule by gods, priests, kings, judges, transcendent reason, parliaments, aristocrats, medieval corporations, and so on. Without denying the novelty of investing rule in a *whole* people, rather than some elite subset thereof, the prevalent emphasis on the democratic aspects of sovereignty has tended to eclipse another connotation of the term. This is the sense in which popular sovereignty entails the rule of a particular *people*. Or put differently, popular sovereignty implies not just rule by *the* people but also and maybe more importantly by *a* people, some particular group entrusted with ruling itself which is, or should be insofar as possible, unique.

Popular sovereignty understood along both of these dimensions – democratic or *popular* rule by a distinctive *people* or populace – represent “fictions,” in the words of Edmund Morgan. By this he means they are stories inhabiting the realm of “make-believe,” but which nevertheless possess enormous power to shape, organize, and legitimate political life.<sup>2</sup> Neither of these two stories about political legitimacy – that sovereignty is vested in the whole community,

<sup>1</sup> See, e.g., Gierke, *Political Theories*, 37–39; Laski, *Studies*; Morgan, *Inventing the People*; Bourke and Skinner (eds.), *Popular Sovereignty*.

<sup>2</sup> Morgan, *Inventing the People*, 14. Morgan’s appreciation of the power of these fictions is reminiscent of Georges Sorel’s category of political “myth,” *Reflections on Violence*.

and that this community should be differentiated from other communities – is self-evident. In fact, both propositions have been subjects of vehement moral, political, and scholarly controversies.<sup>3</sup> Yet, the underlying relationship between these two fictions – sovereignty and nationhood – is poorly understood. Which is the proverbial chicken, and which the egg? Is the existence of a culturally (or ethnically) distinctive people a necessary precondition for the legitimation of popular sovereignty? Sovereignty is derivative of peoplehood. Or, alternatively, must the fiction of such a homogenous people be invented in order to advance the claim that it is the whole people – rather than some exclusive unit within it – that ought to reign supreme? Do homogenous peoples precede popularity, or is popularity required to render peoples homogenous?

One thinker who has not been given enough credit for his contribution to these lines of inquiry is Thomas Hobbes. To be sure, Hobbes's affinities for certain core conceptions of liberalism such as individuality, natural rights, and the popular authorization of sovereign power have been duly noted by critics and admirers alike.<sup>4</sup> Nonetheless, the proto-liberal aspects of his political theory tend to be overshadowed by his more obvious endorsement of absolute monarchy. The puzzling tension between Hobbes's liberal egalitarian assumptions and the absolutist political conclusions he derives from them has sparked generations of disagreement about how best to characterize his place in the history of ideas. Is Hobbes the first liberal? A forerunner of modern totalitarianism? Defenders of the first position cite Hobbes's appeal to pre-political individuals invested with natural rights, while critics of Hobbes's authoritarian tendencies lament his defense of virtually unlimited and unaccountable sovereign power. While building on familiar scholarly debates, in this chapter I want to cast light on three less explored aspects of Hobbes's arguments that speak directly to the question of how the dual fictions of sovereignty and peoplehood intersect with one another.

The first is Hobbes's distinction between "persons" and "men" – that is, between actual human beings endowed with distinguishable identities, or *personae*, on the one hand, and the generic individuals who populate Hobbes's state of nature, on the other. The ascendancy of the abstract individual at the expense of concrete *personae* gives rise to a second building block of modern conceptions of popular sovereignty: namely, the reign of quantity and the

<sup>3</sup> On whether the doctrine of popular sovereignty was either descriptively accurate or normatively sufficient, see especially Mosca, *The Ruling Class*, and Laski, *Authority in the Modern State*. For debates over the socially imagined character of nations and the role such stories play in justifying collective self-rule, see especially Anderson, *Imagined Communities*; Smith, *The Ethnic Origins of Nations*; Hobsbawm, *Nations and Nationalism*; Smith, *Stories of Peoplehood*.

<sup>4</sup> On Hobbes as the founder of modern liberalism, individuality, toleration, and moral equality, see among others, Strauss, *The Political Philosophy of Hobbes*; Macpherson, *Possessive Individualism*; Oakeshott, *Hobbes on Civil Association*; Flathman, *Thomas Hobbes*; Malcolm, *Aspects of Hobbes*. For criticisms of Hobbes as defender of absolutism see Tarlton, "The Despotical Doctrine of Hobbes"; Wolin, "Culture of Despotism." For a succinct overview of these debates and the criteria for Hobbes's liberality or illiberality, see Malcolm, "Thomas Hobbes."

depreciation of quality. Assuming an underlying identity among individuals, popular sovereignty is predicated on our ability to measure their respective wills quantitatively. As Hobbes describes in *Leviathan's* brief democratic interludes of popular sovereignty, the individual who affirms his political will does so by means of a mathematical exercise in which particular wills are aggregated quantitatively and qualitative distinctions are elided. Finally, the model of solidarity toward which the Hobbesian theory of sovereignty intends is characterized by the pursuit of "uniformity," a form of social cohesion based on homogeneity and the wholesale conformity of individual wills. By way of contrast, what Hobbes castigates as "asperity" on the part of subjects must be resisted not only because the existence of a "multitude" of discrepant wills poses a challenge to political unity, but also because such unequal persons represent "diversity" and "irregularity" rather than commensurability (Ch. 15, p. 95).<sup>5</sup> They defy the mathematical equivalency upon which the logic of popular sovereignty depends.

By teasing out these three aspects of Hobbes's political theory we can better appreciate some of the essential characteristics of modern doctrines of popular sovereignty that have caught the attention, for better or worse, of latter-day critics and defenders. My argument will proceed in the following way. The first section examines how Hobbes's hypothesized state of nature abstracts from the distinctive (and unequal) features that differentiate real persons in civil society. His rationale for transforming so-called "persons" into "men," I contend, is to generate both the moral equivalency requisite to majority rule (second section) and the cultural homogeneity and uniformity by which whole peoples can be differentiated from one another (third section). The last section further amplifies the dialectical relationship between national homogeneity and international heterogeneity to which Hobbes's account of sovereignty gives rise.

#### MEN AND PERSONS

Like the concept of popular sovereignty, Hobbes's moral and political philosophy rests on a fiction of its own: namely, the novel image of a state of nature. The state of nature is fictional in two respects. First, as critics have noted, the historico-anthropological reality of a "state of nature" is dubious, and evidence cited for it of varying degrees of plausibility.<sup>6</sup> Even allowing for the existence of such a pre-political condition sometime or somewhere, however, why would it be comprised of the kind of abstract, unencumbered "men" Hobbes portrays? Unlike civil society's *personae* endowed with particular identities, statuses, and personalities, the "men" of Hobbes's state of nature are generic, defined by a common physical vulnerability and a "similitude of the thoughts

<sup>5</sup> Hobbes, *Leviathan* [1994], Ch. 15, 95. All subsequent references are to chapter and page in the 1994 Curley edition.

<sup>6</sup> For an account of Hobbes's various visions and justifications of the state of nature, see especially Evrigenis, *Images of Anarchy*.

and passions” (Intro: 5; 13: 74). Even if these pre-political men enjoyed distinctive statuses before they entered into a political community – a fact which Hobbes takes great pains to deny – each presumably surrenders his individual will and judgment upon entering into a “real unity of them all” (17: 109).

Before we get to the transformative quality of Hobbes’s social contract, we are confronted by the ambiguities of personhood – and related notions of personality and personation. “A person,” Hobbes notes, “is he whose words or actions are considered either as his own or as representing the words or actions of another man, or of any other thing to whom they are attributed, whether truly or by fiction” (16: 101). Persons in the former incarnation are owners of their own “words or actions.” More significant for our purposes, however, is the latter meaning of “person” as someone who stands in for another. To “personate” someone is to represent them by virtue of playing their role, bearing a mask or disguise as on a stage, acting as them or speaking on their behalf. Individuals who “impersonate” others must not be conflated with the identities they assume on stage, however. Presumably, the intention of the actor charged with personating another is to represent the latter’s words or actions as faithfully as possible, even if it means wearing masks or hoods which “disguiseth” themselves (16: 101). The very act of donning a mask, or more generally playing a role, assumes that as social beings we each have unique qualities. *Personae* are endowed not just with particular wills and voices but also with identifying features. The metaphor of masks is revealing insofar as they obscure the identities of actors not by rendering them generic or anonymous, but typically by superimposing upon them the recognizable features of particular persons they are supposed to represent.

This kind of personation or representation often takes place among so-called “natural persons,” in a variety of spheres ranging from theater to the law (16: 101). People impersonate other living, breathing human beings for reasons of entertainment, convenience, or legal representation. Besides arrangements between natural persons, however, *Leviathan* is centrally concerned with how the wills of natural persons get transposed onto an “artificial person” mutually authorized to act on their behalf (16: 101). As Hobbes explains, albeit enigmatically:

A multitude of men are made one person, when they are by one man, or one person, represented so that it be done with the consent of every one of that multitude in particular. For it is the unity of the representer, not the unity of the represented, that maketh the person one. And it is the representer that beareth the person, and but one person, and unity cannot otherwise be understood in multitude. (16: 104)

Clearly there is no unity found among a mere “multitude,” or aggregation of particular men. Without a formal agreement between each and every member to be represented by “one man, or one person” (“and,” we should note the qualification, “*but* one person”), multitudes are essentially heterogeneous. Political union under the guise of an “artificial person” is the only way to

transcend differences and disagreements. Moreover, even if this political unity is strictly a function of the man or person doing the representing, rather than any antecedent “unity of the represented,” it seems reasonable to infer that this personation serves to eradicate, or at least obscure, the multitude’s original differences. Whatever the causes or motivations of the union, its most important effect is that the people are “made one person.”

Another paradox of Hobbes’s account of representation is whether the “words or actions” being “represented” by one for another are supposed to be expressed literally or figuratively, “whether truly or by fiction” (16: 101). When someone gets called upon to represent the will of another are they supposed to do so mimetically – like an actor who seeks to replicate as faithfully as possible the true personality and words of a character – or are they given creative license to engage in a kind of fiction (16: 102)? Presumably where the actor behaves as author of his own actions, he and he alone is responsible for the moral consequences. Yet, in other cases where the actor is expressly bound by some antecedent covenant, he bears no responsibility for actions done by authority of another (16: 102).<sup>7</sup> Inanimate objects, as well as “children, fools, and madmen,” are in the position of always requiring personation precisely because they cannot serve as authors of their own actions (16: 102–103).

In the case of the theater, when an actor (presumably here a “natural person”) attempts to represent the will of a single character, there is at least the possibility of doing so in a way that is true or literal. We often judge the success of an actor on just this criterion – the faithfulness of their representation. Does, say, Meryl Streep give an accurate rendition of Margaret Thatcher? Yet, when one person (natural or artificial) is called upon to represent the will of a multitude, it seems both technically and conceptually impossible for this multitude of particular wills to be expressed in anything other than fictionalized terms. The representative must either superimpose an underlying unity – one single *persona* – on the whole discrepant multitude, on the one hand, or represent these wills in a manner that is not completely true to their underlying disunity, on the other. Whichever way, the result is to some degree fictionalized: Either the people itself or the unified representation of their will is necessarily being invented.

Thus far we have seen that civil society (for we should note that this is what Hobbes is discussing in Chapter 16 and thereafter) nominally consists of distinct *personae*. In contrast to the *personae* of civil society, however, Hobbes’s state of nature is composed of abstract “men.” Above and beyond the term’s gendered aspects, which are themselves complicated by Hobbes’s anti-patriarchal rendition of the state of nature in Chapter 20 (“Of Dominion Paternal and Despotical”), what is most striking in Chapters 13 through 15 is the linguistic consistency with which Hobbes deploys the generic term “man”

<sup>7</sup> The scenario Hobbes contemplates mirrors Augustine’s discussion of just war, in particular the latter’s justification of how it is that one who acts at the behest of another (e.g., Abraham by authority of God) is absolved of any sin committed. See Augustine, “Against Faustus,” 220–22.

to describe human beings in the pre-political state of nature. The choice of words is so constant – indeed almost monotonous – that it can hardly be coincidental. The laws of nature pertain to “every man,” “all men,” “no man,” “a man,” “other men,” “most men,” and so on. By way of contrast, the individuating word “person” occurs only three times in Chapter 15, by my count, twice qualified as “*individual* person” and in all three cases referring to the specific victim of an injustice (15: 94, 97).

Hobbes’s generic language works to bolster his analytical egalitarianism. For in these same chapters of *Leviathan* we find his most famous assertion of human equality. Hobbes contends that “nature hath made men so equal in the faculties of body and mind as that, though there be found one man sometimes manifestly stronger in body or of quicker mind than another, yet when all is reckoned together the difference between man and man is not so considerable as that one man can thereupon claim to himself any benefit to which another may not pretend as well as he” (13: 74).

Hobbes’s derivation of the postulate of equality may be controversial, if not altogether fallacious. But it bespeaks significant effort on his part to establish a substantive moral equality among all human beings. At the most basic level, our equality is established by universal physical vulnerability, as “the weakest has strength enough to kill the strongest, either by secret machination, or by confederacy with others that are in the same danger with himself” (13: 74). Likewise, with respect to intellectual differences, there is an even greater equality than bodily strength insofar as “prudence is but experience, which equal time equally bestows on all men in those things they equally apply themselves unto” (13: 75). These manifest examples of “equality of ability” lead to a not entirely desirable “equality of hope in attaining of our ends,” an equality of expectations that transforms the state of nature into a state of war via the tripartite psychological pathways of competition, diffidence, and glory (13: 75–76).

#### EQUALITY AS UNIFORMITY

We have seen how Hobbes distinguishes between the generic and putatively equal “men” of his hypothesized state of nature; the heterogeneous and unequal “persons” who compose the unreformed “multitude” of civil society; and the potential “unity” that can be achieved only when *personae* come to be represented by a single natural or artificial person. What remains to be shown are the ramifications of this view of equality for his theory of popular sovereignty. I want to argue that Hobbes’s appeal to equality is directly related to his justification of popular sovereignty in two key respects: Men not only have to be *equal* but also *alike* in order for sovereignty to be popular and for peoples to be distinctive.

Speaking abstractly, there are (at least) two different ways of conceptualizing equality. The first is the notion that some shared characteristic or common denominator among members of a category is sufficient to establish their

equivalency. The observation that all mammals are warm blooded, for example, is a proposition that establishes an equality among all creatures of the class *Mammalia* without denying that there may be salient differences between, say, bisons and bears. To say that one thing is equal to another is not to imply that they are in all ways the same, only that they share something in common. With respect to some decisive quality, they are equivalent – literally of equal value or worth. A second and more radical conception of equality goes further still. It refers to equality not in the sense of sharing some defining feature but by insisting on sameness. Equality is no mere equivalence with respect to one or more generic qualities, but rather a demand for likeness if not total homogeneity.

At first glance Hobbes's definition of equality would seem to be of the first class of argument (men are equal in one and only one relevant respect: the vulnerability of their lives), and yet upon closer examination his intention is more along the lines of the second. For his identification of a single common characteristic – namely, mortality – gives way to an account whereby human beings are – contrary to our intuitive observation – rendered virtually interchangeable with one another – their natures determined by the average or common denominator. Putative differences of intelligence or physical strength become either matters of erroneous (that is to say, vainglorious) misreckoning, or they remain extant while being overshadowed by other qualities such as mortality and pride whose constancy across subjects becomes constitutive of our humanity (13: 74–75).

Even Hobbes's grudging acknowledgment of natural inequalities gets transformed by a peculiar logic into a kind of rough parity. The capacities of individual men in the state of nature may indeed vary somewhat, he concedes, but by the same aggregative mathematical logic deployed in the case of representation that we will discuss below, these differences end up canceling each other out. Some are smart; others are strong – but when “all is reckoned together” they are just men after all, each about the same, one as entitled as any other (13: 74). In a logic all too familiar to the contemporary social sciences, especially economics, the acknowledgment of empirical variations poses no barrier to generalization or quantification. Instead it is precisely by dint of such variance among individual persons that one establishes a prevailing uniformity across the whole group.

Hobbes hardly denies the naturalness of pre-political inequalities, as we have seen, but he does try to diminish their practical and moral significance. Strong arms do not simply counterbalance dull wits, or vice versa. Rather, the claim is that regardless of any physical or intellectual advantages, these natural differences are more than outweighed by common vulnerability, so that even the “weakest has strength enough to kill the strongest, either by secret machination, or by confederacy with others that are in the same danger as himself” (13: 74). Likewise, with respect to intelligence Hobbes finds “yet a greater equality amongst men than that of strength.” Only an exaggerated sense of pride prevents people from acknowledging that intellect boils down to mere prudence, “which equal time equally bestows on all men” (13: 74–75).

As soon as men begin to conceive of themselves as equal in one respect it seems ineluctably to follow that they will consider themselves equal in all others. “From this equality of ability,” Hobbes notes, “ariseth equality of hope in the attaining of our ends” (13: 75).

From a political vantage it makes no difference if natural differences exist or not, and Hobbes is suitably equivocal about whether “nature therefore have made men equal ... or if nature have made men unequal” (15: 97). All that really matters is that they “think themselves equal,” and of this much he seems certain. Given their conceit – right or wrong – they demand to be treated as equals, “on like terms,” or they will refuse to cooperate, even when unequal cooperation might be mutually advantageous (15: 97; cf. 17: 109).<sup>8</sup> Whether deontological or merely prudential in their foundations, Hobbes’s so-called “laws of nature” revolve around the central political axiom that once people come to think of themselves as equals they need to be treated as such wherever possible, publicly and privately, especially in matters of equity, lest even minor instances of differential treatment give rise to civil disorder (15: 96–99).

Hobbes is not just concerned with the affirmative claims of natural equality. He is also determined to debunk justifications of natural inequality, whether aristocratic or Aristotelian in provenance:

The question “who is the better man?” has no place in the condition of mere nature, where (as has been shewn before) all men are equal. The inequality that now is, has been introduced by the laws civil. I know that *Aristotle* (in the first book of his *Politics*, for a foundation of his doctrine) maketh men by nature, some more worthy to command (meaning the wiser sort, such as he thought himself to be for his philosophy), others to serve (meaning those that had strong bodies, but were not philosophers as he), as if master and servant were not introduced by consent of men, but by difference of wit; which is not only against reason, but also against experience. For there are very few so foolish that had not rather govern themselves than be governed by others; nor when the wise in their own conceit contend by force with them who distrust their own wisdom, do they always, or often, or almost at any time, get the victory. (15: 96–97)

Regardless of whether this is an accurate rendition of Aristotle’s position, Hobbes’s refutation merits careful scrutiny. First, we should note his insistence that inequality (or at least political inequality) is not natural but instead the result of convention or “laws civil.” In this point and others Hobbes is fully in accord with his egalitarian legatee Jean-Jacques Rousseau. That said, there is considerable slippage between this assertion and the argument for natural equality in Chapter 13. What Hobbes has “shewn before” has nothing to do with moral worth or political status, per se. Rather the claim is, strictly speaking, that whatever risible physical or intellectual differences might exist among men in the state of nature are overshadowed by common vulnerability to death.

<sup>8</sup> For Hobbes’s acknowledgment of the politically vexing fixation on relative over absolute gains from cooperation, see Boyd, “Behavioral Economics.”



Unless “better man” refers to one’s ability to kill another, then Hobbes’s moral inference here makes little sense. Second, there is the matter (as critic Clarendon deftly pointed out) of Hobbes’s fallacious slippage between a subjective and an objective account of human equality. As Clarendon notes, just because those of lesser wit refuse to accede without violence to the greater reason of their betters does nothing to disprove the latter’s inherent superiority.<sup>9</sup> The mere fact that “men think themselves equal,” and are thus likely to become uncooperative or intransigent if others refuse to grant their presumption, is hardly sufficient to justify on anything other than pragmatic grounds Hobbes’s “law of nature” that “every man acknowledge every other for his equal by nature” (15: 97).

Beyond the physical, intellectual, and moral equality Hobbes ascribes to human beings in a pre-political state of nature, there is also a sense of sameness or uniformity arising from the genesis of the political community itself. Much like his disciple Rousseau, Hobbes concurs that conventional inequalities of status, honor, wealth, or even gender come to distinguish human beings only after the institution of political society. Yet, rather than the “identity of our natures” being undone by civilization and the “clever usurpation” of government, as per Rousseau’s lapsarian spin in the *Second Discourse*, whereby the wholeness and equality of pre-political man give way to lamentable differences, for Hobbes the generation of the political community seems coterminous with the invention of an altogether novel kind of sameness and unity.<sup>10</sup>

There is, for example, the notion that differences within civil society are eclipsed by the magnitude of inequality between sovereign and subjects. Differences of status and honor that may subsist within civil society are solely the result of the sovereign’s actions, and thus no man can claim to deserve these dignities by nature (18: 115; 30: 222). Moreover, whenever unequal subjects are in the presence of the sovereign any trivial distinctions get overshadowed by the eminence of the latter, just as differences between subjects and their earthly sovereign are diminished “in the presence of the King of kings” (30: 226).

The theological underpinnings of Hobbes’s argument provide further support for the notion of equality-as-similitude. There is, first, the Biblical conception of an equality established among mortals by dint of the manifest sovereignty of God over his creation.<sup>11</sup> Whatever risible differences are manifest among human beings, these are insignificant against the backdrop of divine omnipotence – not coincidentally, the gist of the Job story from which the work *Leviathan* takes its name. Whether from a secular or sacred vantage, equality is often established against a horizon of profound inequality, if not domination. Besides this notion of equality through subjection to a common superior, there is a theological basis for uniformity as well. For it is a feature of Christian theology that God’s subjects are not only of equal status and dignity

<sup>9</sup> Hyde, “A Brief View.”

<sup>10</sup> Rousseau, *Origins of Inequality*, 132, 158–63; Rousseau, *Emile*, IV, 221.

<sup>11</sup> See, for example, Mitchell, “Hobbes and the Equality of All under the One.”

but also similar in kind: all one human species, created in God's image, uniformly endowed with a faculty of reason, and commanded to love one another universally.

Above and beyond the theological dimensions, appeals to a civil religion constitute yet another grounds for fostering similitude within a political community. The covenant instituted among subjects represents "more than consent, or concord" necessary to sublimate rivalries and cement natural advantages. It is a "real unity of them all, in one and the same person" (17: 109). This unity is presumably religious as well as political. As we see in *Leviathan's* frontispiece, the individual faces of subjects vanish as they merge together into one seamless unity of the body politic. The law is no mere contrivance of physical constraint but "the public conscience," which supersedes over a "diversity" of private consciences by which the "commonwealth must needs be distracted" (30: 212). In order to minimize private religious disputes and to cement the unity of the political community, it "ought to exhibit to God but one worship," whose very nature is to be "uniform" (31: 242).

Conversely, maybe the best evidence of homogeneity's importance are the difficulties Hobbes associates with heterogeneity. The task of instituting a commonwealth requires one first to deal with the irregularities of human beings as "matter," their proclivities toward "jostling and hewing one another." The wise architect must make them "desire with all their hearts to conform themselves into one firm and lasting edifice," which entails not only "fit laws to square their actions by," but also and maybe more importantly a remaking of their character. The "rude and cumbersome points of their present greatness" must be polished away so that they fit together neatly. Any irregularity or "asperity" must be cast aside as unfit material. Without a certain degree of modularity on the part of the subjects, any commonwealth will, like a poorly engineered building, if not collapse immediately then "assuredly fall upon the heads of their posterity" (29: 210). "Contrariety of men's opinions and manners" are at minimum a limiting condition on political life that must be reckoned with, if not eliminated altogether (Review and Conclusion [R&C]: 489). The "education and discipline" to which Hobbes appeals as remedies seem to have something to do with fostering a greater "similitude of the thoughts and passions of one man to the thoughts and passions of another" (R&C: 489; Intro: 4).

#### QUANTITY AND QUALITY: POPULAR SOVEREIGNTY AS MAJORITARIANISM

Hobbes's embrace of equality-as-similitude is most striking for its prudential dimensions. Equality precludes conflicts among subjects otherwise beget by their pride and vanity. Even if people aren't really equal, we are obliged to treat them as such lest they take offense, Hobbes cautions. Likewise, similitude discourages subjects from falling prey to disagreements, disorder, and the breakdown of commonwealth. These similarities (and the underlying fiction

of equality on which they rest) are at the heart of Hobbes's project of creating a unified *people*, one of the prerequisites for popular sovereignty. At a deeper level, however, Hobbes's postulate of moral equality lies at the very foundation of theories of popular sovereignty: namely, the equal value of the will of every single member of a people. For purposes of sovereignty, representation, and so on, no subject's will shall be deemed *ex ante* any more valuable than another's, not just morally or symbolically, but quantitatively. This mathematical reckoning of human equality, Hobbes makes clear, is at the heart of modern notions of representation.

Given *Leviathan's* focus on a single unified sovereign who personifies the will of a whole political community, and therefore acts unilaterally on its behalf, we are not accustomed to thinking about its majoritarian dimensions. Except for the fact that the sovereign ultimately derives authority from the will of otherwise discrete individuals, Hobbes's account of sovereignty looks anything but "popular." Yet, in his discussions of how a multitude becomes constituted as a person Hobbes says a number of suggestive things about the democratic underpinnings of popular sovereignty. Hobbes's concern is not only with personation – that is to say, how one artificial person comes to stand in for the wills of various subjects who authorize him – but also, albeit less obviously, with generic matters of democratic deliberation whenever a representative body of any sort has to come to a decision.

Assuming the existence of a representative body, on what terms should its deliberations be concluded? Must a representative body be fully unified in order to act? Does it require a simple majority or perhaps a supermajority? Why not unanimity? And what is the status of people who end up on the losing end of any particular deliberation? Is there any way in which the process of deliberation can winnow out worse from better opinions, such that the superior wisdom of a numerical minority might carry the day?

One aspect of Hobbes's description is his strong sense of the majoritarian nature of deliberation. Every person who enters into the congregation or assembly has a distinct will that must be aggregated through the process of deliberation into a single unified "voice." Hobbes stipulates "if the representative consists of many men, the voice of the greater number must be considered as the voice of them all." We emphasize the "greater *number*." This is to say that Hobbes's way of justifying the practical and normative significance of majoritarianism is strictly quantitative, a kind of political math problem susceptible to precise solution: "For if the lesser number pronounce (for example) in the affirmative, and the greater in the negative, there will be negatives more than enough to destroy the affirmatives; and thereby the excess of negatives, standing uncontradicted, are the only voice the representative hath" (16: 104–105).

This mathematical justification of the principle of majority rule, we should note, does not rest on any epistemic confidence in the wisdom of the many. There is no claim that the "voices" that happen to be in the numerical majority are necessarily more intelligent than the minority whose opposing views

they cancel out. Nothing is said about the tendency of better views to preponderate – that is, any suggestion that their numerical supremacy owes to their moral or epistemic superiority. Setting aside qualitative judgments about the superior wisdom of the majority, neither does our deference to the voice of the majority derive from the intrinsic value of the democratic process. Majorities are dispositive because they represent more wills, and not because there is anything empirically true or morally right about deferring to the views of the greater part of the community.

One crucial premise of Hobbes's mathematical metaphor is the assumption that all voices are of equal valence or weight. The notion of affirmatives and negatives canceling each other out requires the mathematical equivalency of all voices. Unless every single voice carries the same absolute value – whether positive or negative – their contrary expression will not result in a precise cancelation, leaving behind a conclusive remainder. Uniformity is a necessary condition for reducing all voices to a single metric of quantification. And yet the quantifiability of democratic deliberation comes at the expense of any qualitative recognition of the voices in question, whether of the individuality of the speaker or the intrinsic merits of ideas being voiced.

The peculiarity of this argument may be seen by contrasting Hobbes's stylized characterization with real-life deliberations in which voices are not all valued equally. As we know, some speakers enter the conversation invested with greater authority than others. When certain people speak, others listen more attentively. Likewise, regardless of issues of personal status, some voices convey ideas or arguments of greater wisdom or merit, and their qualitative superiority marks them out for distinction. It is telling that Hobbes's metaphor seems to imply a purely acclamatory process, with the preponderance of voices carrying the day, whereas in actual deliberations, substantive arguments presumably matter.

In one sense the appeal to “voices” reinforces the depersonalization of the deliberative process, as in the case of a parliamentary “voice vote” where individual preferences are not recorded. Even so, there is another respect in which the concept of “voice” draws attention to the problems with approaching democratic deliberation through a purely quantitative lens. For we know that individual voices are in fact highly distinguishable – maybe even the quintessential identifying characteristics of real persons. Voices differ essentially. Whereas some are pleasingly rhetorical, others are shrill and grating. Still others exercise disproportionate sway solely by virtue of being louder or more strident than their peers. In an actual parliamentary assembly one would never be content with a mere voice vote of “ayes” or “nays” in any but the most clear-cut and uncontroversial matters, and thus the need for deliberation, a formal vote, and numerical tally. At the end of the day, however, when all voices are counted, the view advanced by Hobbes represents the triumph of quantity over quality. Regardless of the status, wisdom, forcefulness, or rhetorical seductiveness of a voice, when time comes to vote every will must be reckoned the same as

any other. Without denying the possibility of substantive differences between them, with respect to political representation every political will gets treated as of equal value. Moreover, once the decision has been concluded on majoritarian grounds the losing side must conform its will to that which prevailed quantitatively. What began as a multitude distinguished by many separate voices gets transformed into a unity that acts with a single concerted will and speaks in one and only one voice. The results of Hobbes's theories of representation and deliberation are identical: the conversion of discrepancy into unity.

There is one major qualification to Hobbes's principle of mathematical equivalency, however, which takes us back to our earlier point about how popular sovereignty relies not only upon popularity, as determined by the majority, but also on antecedent notions of peoplehood. The flip side of Hobbes's postulate that the wills of all members of a people should count equally is the notion that the wills of nonmembers may be deemed unequal. Quantity reigns supreme only among a given people. Indeed, the wills of nonmembers ought not to figure at all in the political calculation, the canceling out of positive and negative valences. Peoplehood is predicated not only on the reduction of its members' wills to a purely quantitative dimension, but also on a qualitative distinction between members and nonmembers. It is not as if the wills of nonmembers of a people count for more or less than those of members, whether positively or negatively. There is no ratio or common denominator by which these external wills can be converted into a commensurable quantity. They are qualitatively distinct. Beyond the horizon of peoplehood extraneous wills simply do not weigh into the calculus of popular deliberation.

One might wonder why this is the case given the terms of Hobbes's argument? As we have seen, Hobbes's state of nature is populated by "men," that is to say, human beings who conspicuously lack antecedent personal or collective identities. His anthropological rendition of this condition is at least nominally cosmopolitan: All "men" are defined by their biological mortality and governed by universal "laws of nature." Moreover, unlike his legatees Locke and Rousseau, who both allow for antecedent ties that bind a "community," "society," or "people" into an identifiable pre-political collectivity, Hobbes is adamant that there is no intermediary social stage between the condition of atomized individuals and the formation of a commonwealth.<sup>12</sup> How peculiar, then, that his theory simultaneously affirms an equality among subjects, on the one hand, and distinctions separating political communities, on the other.

One possible explanation is that it is precisely because Hobbes cannot rely – like Locke or especially Rousseau – upon the existence of any such pre-political aggregations that he needs to affirm so strongly the sense of similitude on the part of subjects. Uniformity or collective identity is not something that Hobbes

<sup>12</sup> Locke, *Second Treatise* [MacMillan 1952 edition], VIII, \*95–96, \*106; XIX, \*211; Rousseau, "The Social Contract" [*Major Political Writings*], esp. II, 8, 194–95.

can take for granted before the political genesis of a commonwealth; it is something that needs to be impressed upon subjects who would otherwise remain a mere multitude or aggregation. If I am right, this explains much about the relationship between popular sovereignty and peoplehood. Rather than peoplehood giving rise to and justifying popular sovereignty, it is popular sovereignty that must be tasked with forging a distinctive people.

#### POPULAR SOVEREIGNTY AND NATIONAL HOMOGENEITY

Thus far I have emphasized the role of equality qua uniformity in Hobbes as constitutive of popular sovereignty. Popular sovereignty as we generally conceive of it today is predicated on the rule of coequals who are regarded as morally comparable, if not sociologically homogenous, for purposes of collective self-governance. And yet there is a more fundamental way in which this uniformity relates to popular sovereignty – that is, the invention of distinct peoples who purport to rule in the name of the majority. The birth of popular sovereignty as a mode of governance is intimately connected with the formation of peoples who aspire to be sovereign over themselves. Paradoxically, their intranational uniformity represents the flip side of international differentiation.

In the age before the rise of modern democratic publics one could imagine sovereignty as a legal power invested in a specific person, family, or office charged with the task of ruling over a given territory. To be sure, pre-popular conceptions of sovereignty might derive legitimacy – at least in part – from the notion that this or that sovereign was the ruler of a distinctive nation, say, the French or the Poles, but the composition of that populace need be neither equal nor homogeneous. Populations over whom a sovereign ruled might consist of disparate ranks, hierarchies, orders, and ethnic groups, as they often did in early modern European kingdoms or in nineteenth- and early twentieth-century empires.<sup>13</sup> While the subjects of sovereignty often shared a common language, religion, or ethnic kinship (real or imagined), this was not an absolute requirement of pre-popular conceptions. Sovereigns could – and often did – rule over highly variegated and internally heterogeneous communities.

Hobbes's account of sovereignty, as we have seen, is preoccupied with removing differences that allegedly dispose a political community to conflict. Differences of religion, opinion, faction, or ethnicity are limiting conditions on social order. Pluralism or diversity is to be minimized if not eliminated altogether in the name of avoiding social conflict.<sup>14</sup> Conversely, homogeneity and “unity” are desirable means to peace and civil order. One key aspect of

<sup>13</sup> One thinks of the language of the Mayflower Compact whereby James I and VI is hailed by the Puritans as “our dread Sovereigne Lord, King James, by the grace of God, of Great Britaine, France and Ireland king, defender of the faith, etc.” See Bradford, *Of Plymouth Plantation*.

<sup>14</sup> For a different but complementary account of Hobbes's anti-pluralism, see Boyd, “Perils of Pluralism.”

the growth of the modern liberal state, as Jacob Levy has recently suggested, is its connection to a powerful rationalizing and homogenizing imperative.<sup>15</sup> It is perhaps no accident that the age of popular sovereignty was also the age of nation building and the deliberate invention of homogenous peoples in the face of otherwise disparate populations. As Carl Schmitt notes in his *Crisis of Parliamentary Democracy*, “Every actual democracy rests on the principle that not only are equals equal but unequals will not be treated equally. Democracy requires, therefore, first homogeneity and second – if the need arises – elimination or eradication of heterogeneity.”<sup>16</sup>

One logical corollary to the Schmittian view that subjects must be uniform, regular, and homogenous is the notion that nation-states should be distinctive. Paradoxically, it is precisely because the individuals who compose a political community are allowed to have no *personae* of their own that political communities can be unique and differentiated from one another. We find this point expressed by subsequent thinkers such as Rousseau, for whom similitude among Poles, say, is what allows them to distinguish themselves so readily from Russians.<sup>17</sup> Conversely, as critics allege, it is by dint of mounting internal diversity in the contemporary world that nations become indistinguishable in the face of globalization.

Popular sovereignty may be predicated on the notion that the will of a nation is something that already exists. Peoples are organic wholes with their own unique mores, historical circumstances, and cultural accomplishments. Rousseau for one seems to be of this view. Their antecedent unity reveals itself once all the discrepancies, the “pluses and minuses,” or “differences” plaguing a community are summed up and thereby canceled out.<sup>18</sup> Every people has a general will; the political problem consists in ordering political communities in such a way that this will may come to be expressed. Yet, as Rousseau divined, this generality with respect to a given political community is at least in part a reflection of its partiality with respect to other nations. The Genevan’s *Discourse on Political Economy* boldly declares something only hinted at in *Leviathan*. Namely, in a world of sovereign nation-states the will of one state will be inimical to that of another. “The will of the state,” Rousseau observes, “although general in relation to its members, is no longer so in relation to other states and their members.”<sup>19</sup> For both, it seems, war is the ineluctable if lamentable result of conflicting wills. One of Hobbes’s most persuasive arguments for the empirical existence of a state of nature, we should recall, is that this condition obtains between sovereign states in the sphere of international relations, over whom there exists no sovereign to chasten their jealousies and animosities (13: 78).

<sup>15</sup> Levy, *Rationalism, Pluralism and Freedom*.

<sup>16</sup> Schmitt, *Parliamentary Democracy*, 9.

<sup>17</sup> Rousseau, *Government of Poland*, 10–12.

<sup>18</sup> Rousseau, “The Social Contract” [*Major Political Writings*], 182.

<sup>19</sup> Rousseau, “Political Economy,” 212.

The collective self-determination of communities in a world of sovereign nations demands the minimization – if not elimination – of discrepant elements in the name of political cohesion. Yet, as Schmitt hinted in the above-cited passage, it is only a small step beyond the negative logic of removing contingent differences to the stronger claim that political communities must be rendered internally homogenous and externally distinctive irrespective of deep and fundamental differences of culture or character. It is perhaps no accident that classic efforts to remake political communities from the ground up – say, Eugen Weber’s story of “peasants into Frenchmen,” Benedict Anderson’s “imagined communities,” or Ernest Gellner’s superimposition of high over low culture – have been undertaken in the name of “inventing” forms of homogeneity that did not previously exist.<sup>20</sup> Solidarity is no longer conceived of as polishing away asperity, irregularity, contrariety, and differences within an otherwise cohesive political community, as originally expressed by Hobbes (15: 95; R&C: 489). Rather it is a matter of actively cultivating national distinctiveness in a way that generates commonality among members of a nation-state precisely by setting them apart from other nations.

By this logic, then, nations only become distinctive vis-à-vis other nations when individual citizens surrender their distinctiveness vis-à-vis other citizens. Ironically, for all of his gestures in the direction of international conflict and the sublimated war that obtains between nations in an international system, this corollary of Hobbes’s theory was left for the likes of Carl Schmitt and others to apprehend in the first decades of the twentieth century. Intranational unity reinforces international antipathy, if not outright war. “The political entity presupposes the real existence of an enemy and therefore coexistence with another political entity,” Schmitt elaborates: “As long as a state exists, there will thus always be in the world more than just one state.”<sup>21</sup>

## CONCLUSION

Thus far we have considered Hobbes’s contributions to our understanding of sovereignty as well as his role in the emergence of modern ideas of popular sovereignty. Three of the main ingredients in the modern conception of popular sovereignty come to fruition in Hobbes: the idea of subjects as equal and interchangeable building blocks of the political community; whose wills are of equal worth in adjudicating the direction of the political community, even if only initially; and whose similitude within the body politic is what allows the political community to distinguish itself from other nations.

<sup>20</sup> Weber, *Peasants into Frenchmen*; Anderson, *Imagined Communities*; Gellner, *Nations and Nationalism*; Hobsbawm and Ranger, *The Invention of Tradition*.

<sup>21</sup> Schmitt, *Concept of the Political*, 53.



Hobbes's insights into the nature of popular sovereignty have proven elusive, however, in that his views have more often been appreciated by critics of popular sovereignty than by its defenders. The latter tend to disavow the "totalitarian" Hobbes's role in the development of popular sovereignty, whereas the former – most notably, Carl Schmitt – take Hobbes's presentation as the aboriginal instance of the more general concept. Hobbesian sovereignty, for Schmitt, appears simultaneously demonic and benevolent, organic and mechanical, mythical and rationalistic, the culmination of legalism in a domestic context and the distillation of the extra-constitutional essence of a state of nature in the sphere of international politics. Its dialectical quality is best seen in the tension between its internal and external forms. "The more complete the internal organization of a state is, the less feasible it is for it to engage in mutual relations on an equal basis," Schmitt observes of the Hobbesian logic.<sup>22</sup>

Schmitt's appreciation of the mythical or theological dimensions of Hobbes's theory casts light on one final question, namely, the precise nature of the putative homogeneity upon which Hobbes's theory of popular sovereignty rests. If my reading is correct, and Hobbes is indeed obliged to turn to popular sovereignty as a way of forging uniformity and cohesion within an erstwhile "people," there remains the question of what form that cohesion is most likely to assume. What sort(s) of uniformity does Hobbes intend? To put this in contemporary terms, is the Hobbesian political community likely to be "civic," "cultural," or "ethnic" in nature?

Unlike more paradigmatic nationalist thinkers such as Rousseau, Herder, or Fichte, the ethnic conception of the nation seems fundamentally incompatible with Hobbes's framework. Appeals to a given *ethnie* or "people" have little place in Hobbes's argument, and for reasons that should be intuitive by now. Unlike his contractarian brethren Locke and Rousseau, Hobbes allows no intermediary stage of society or peoplehood to mediate his stark dichotomy between civil association and the atomized individuals of the state of nature. As we have seen, Hobbesian individuals appear as generic "men," individuated "*personae*," or discordant "multitudes," not as bearers of pre-political communal identities or members of discernible ethnic groups. Although it is incumbent on the abstract men of Hobbes's state of nature to assemble themselves into some kind of political community, there is no logic – other than expediency, and scarcely mentioned accidents of history or conquest – for them to affiliate under any particular national configuration. Ethnic modalities of the nation, then, seem fundamentally incompatible with Hobbes's individualistic and materialist ontology.

Conversely, and for many of the aforementioned reasons, the model of a civic nation looks more congenial to Hobbes's orientation, at least at first glance. The civic model does not assume underlying ethnic or racial ties among

<sup>22</sup> Schmitt, *State Theory of Thomas Hobbes*, 49.

subjects that would link them to any particular group of people. Instead it reduces political membership to an abstract, rational expression of political allegiance. The potential difficulties with this conception of peoplehood, however, stem from its lack of a sufficiently sturdy grounding for political allegiance. One might doubt whether rational calculation in and of itself provides a reliable source of political obligation and unity. Hobbes is well aware that, absent a powerful dose of fear, people are unlikely to keep their promises when it is no longer in their interest to do so, and his lengthy deductive proof of political obligation acknowledges an implicit tendency to disobey whenever it is advantageous for subjects. Something more robust than a covenant, instrumental reason, or “constitutional patriotism” is necessary to supply the degree of unity and social cohesion demanded by the Hobbesian political community.

The most likely candidate, then, is a nation where thick cultural symbols, deeply shared moral values and commitments, or what we today would call a “civil religion” stamp a group as one distinctive people. To be sure, Hobbes’s political community seems willing to accommodate – when absolutely necessary – a certain latitude of religious or cultural pluralism. But it is impossible to read *Leviathan* without a sense that these differences are to be minimized, wherever possible, and that the sovereign ought to do everything in its power to foster moral and cultural uniformity. Not just an empty formal equality, but also substantive likeness and cultural homogeneity lie at the very heart of Hobbes’s political project.

For this reason, as we have seen, Hobbes’s political theory ably illustrates the complex and dialectical relationship between peoplehood and popular sovereignty – with the former developing alongside the latter, both conceptually and historically. Hobbes’s version of popular sovereignty proves instructive insofar as it allows us to appreciate better the relationship between political democracy and cultural homogeneity, between populism and nationalism, and between the internal composition of political communities and their distinctiveness vis-à-vis other nations. These insights further reveal that popular sovereignty rests not on a single “fiction,” as Edmund Morgan suggested, but instead on multiple intersecting fictions: equality, homogeneity, majority rule, and the existence of distinct and identifiable peoples.