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Political Philosophy in a Legal Idiolect. Hobbes on Rights, Contracts, and Laws

Abstract: Hobbes uses fundamental legal concepts (e.g., rights, contract, laws of nature) to introduce 'Leviathan', i.e., overarching state authority. How does this relate to the received view (and Hobbes's explicit thesis) that law makes no sense as long as the state is not conceptualized first? The paper argues that these concepts are governed by a philosophical rather than a legal logic. This philosophical logic is to bolster up political reflexivity, i.e., the phenomenon of political agents attributing first-person ascriptions to *themselves*, either in the singular (in the case of rights), or in the plural (in the case of contracts), or in both (in the case of laws). Thus, these concepts should be regarded as quasi-, rather than genuinely, legal. The received view emerges as the preferable one; at bottom, Hobbes is not a philosophy of law applied to the political but rather the other way around.

Keywords: State authority, Rights, Contract, Laws of nature, Political reflexivity, Self-reference.

1. Introduction

In the works of his mature phase, *De Cive* (1642), *Leviathan* (1651), and *De Homine* (1658), Hobbes uses fundamental concepts from jurisprudence to introduce his readers to his views on overarching state authority. It looks as if such categories of law set the scene on which the state enters, notwithstanding Hobbes's explicit thesis that law makes no sense as long as the state ('Leviathan') has not entered the very same scene. This challenges the received view on Hobbes's political philosophy. Well-established, namely, is the view that, when it comes to social order, Hobbes is the godfather of Modernity in virtue of the fact that he is the first whose philosophy of *politics* is *not*, in the end, a philosophy of *law* writ large[2]. Indeed, Hobbes argues that all social institutions, including law, are

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2 Dyzenhaus (2021: 261) qualifies, and offers a nuanced critique of, what I call 'the received view': "Thomas Hobbes is the founder of the rule by law tradition in modern Western

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possible only if there is a political order warranted by Leviathan. There would be no collective gain or loss, no educational pass or fail, no moral good or bad, no legal or illegal act, without an order that is established over the whole of society, whatever society we take under scrutiny. Hobbes's basic tenet is that "It is not Wisdom but Authority that makes a law"[3]. So clearly, unless we would wish to criticize Hobbes for going round and round in circles, we should accept that authority is not 'made' by the law. That is to say, we should not *conceive* of it as created, warranted, legitimized, established, guided, etc. by law.

Thus, subscribing to the received view raises the question what role one should attribute to the (quasi-)legal concepts that Hobbes uses to bolster up his philosophy of the polity, the state, the commonwealth? My paper will suggest an answer to this question by focusing on three basic concepts of his philosophy, to wit the notions of rights, contracts, and laws. I will argue that these are governed by a philosophical rather than a legal logic. This philosophical logic is to bolster up reflexivity, i.e., first-person ascriptions of agents to *themselves*, either singular (in the case of rights), or plural (in the case of contract), or both (in the case of laws). Self- (or 'auto-') reference, taken in the sense of not just systems theory but also in a phenomenological approach, is crucial in any account of the polity. This argument undergirds the received view mentioned above[4].

2. Rights

In L, 16 (83ff) Hobbes introduces the famous distinction between two modes of authority: actorship and authorship. The context is 'personhood', of which there are two kinds: natural and artificial persons. In contrast to natural persons, artificial persons are persons whose words and actions "are considered as representing the words and actions of another". Natural persons, on the other hand, are those agents whose words and actions 'are considered' their own. It is worth noting, firstly, that the distinction is primarily based on the ascription of words and actions, i.e., on predication, ushering in language. In other words, it is not based on ontology, at least not primarily, as one would perhaps expect. It is namely not unusual to make the distinction along ontological lines. We might say, for instance, that natural persons are human individuals 'of flesh and blood',

thought. It argues that there is no more to law than what the holder of supreme legislative power chooses to enact, whatever its content. Hobbes founds it in opposition to the conception of the rule of law exemplified in the writings of Sir Edward Coke according to which the common law, as interpreted by judges, contains fundamental legal and moral principles which condition the content of enacted or statute law. Coke and others in this rule by law tradition thus consider the rule of law to be a moral good".

3 Hobbes, Cromartie et al. 2005: 10.

4 My textual arguments relate primarily to *Leviathan* (L). Apart from numbers of chapters immediately following the siglum plus comma I add page numbers of the edition listed in the References. So 'L, 6 (23)' is Leviathan, chapter 6, p. 23). In the footnotes I refer to similar passages in (the English versions of) *On the Citizen* (C) and *On Man* (M).

artificial persons are social constructs, collectives composed of human individuals featuring a certain degree of order. Both in *On Man*[5] and in *Leviathan* Hobbes leaves this ontological vernacular aside. According to his definition, trustees or parents are artificial persons, in spite of their being persons of flesh and blood.

From the start, Hobbes's idiom undergirds what I called the received view. For what is also noteworthy, secondly, is that the predication of words and actions to the same person or to another person is introduced under the scope of what analytical philosophy usually calls a "cognitive attitude", creating an opaque context into which we are forbidden to quantify. Artificial persons are not representing other persons in their words and actions; no, they *are considered* to represent them. Similarly, natural persons *are considered* to perform their own actions and speak for themselves. The obvious question is: Who is the subject of such considerations? And the answer is not straightforward at all. If the ontological category of 'nature' is not decisive, then the decision is left to the polity yet to be established. I.e., the polity in the constellation in which it is political par excellence. It is when and where divergent claims on the best ordering of society (may) clash, as well as when and where one polity diverges from other polities, more or less close to it. Agents in these polities may contest each other's claims, for instance, if trade-unions, sports associations, religious gatherings, or criminal gangs, or any of these should be 'considered' artificial persons, i.e., agents who represent other agents words and actions. This, indeed, seems to bring grist to the mill of the thesis that Hobbes is utterly 'modern' in his endeavour to develop the concept of law from the concept of politics, rather than the other way around.

The observation that the distinction between natural and artificial persons is political does not amount to the conclusion that it is arbitrary. There is a criterion that serves to criticize or defend political claims. In the passage that immediately follows (and elaborates) the distinction between natural and artificial persons, it becomes clear that this criterion is 'ownership', the right of all rights, so to speak. Let me quote at some length.

> Of Persons Artificial, some have their words and actions *Owned* by those whom they represent. And then the Person is the *Actor*, and he that owneth his words and actions is the Author: In which case the Actor acteth by Authority. For that which in speaking of goods and possessions is called an *Owner*, and in latine *Dominus*, in Greek *κύριος*; speaking of Actions, is called Author. And as the Right of possession, is called Dominion; so the Right of doing any action is called Authority. So that by Authority, is alwayes understood a Right of doing any act: and *done by Authority*, done by Commission, or License from him whose right it is.
>
> From hence it followeth, that when the Actor maketh a Covenant by Authority, he bindeth thereby the Author no lesse than between if he had made it himselfe; and no less subjecteth him to all the consequences of the same. And therfore all that hath been said formerly (*Chap*. 14.) of the nature of Covenants between man and man in

5 Cf. M, 15 (83).

> their natural capacity, is true also when they are made by their Actors, Representers, or Procurators, that have authority from them, so far forth as is in their Commission, but no farther.
> And therefore he that maketh a Covenant with the Actor, or Representer, not knowing the Authority he hath, doth it at his own perill. For no man is obliged by a Covenant, whereof he is not Author; nor consequently by a Covenant made against, or beside the Authority he gave.[6]

Let us put aside the problems of representation discussed in this passage, and focus on the analogy Hobbes draws between ownership and 'authorship'. Ownership is of goods and possessions, authorship of actions. Again, 'dominion' over possessions equals 'authorship' over words and actions. The analogy is to be handled with care. Hobbes does not want to categorize authorship *under* ownership, as if there were two subspecies of the latter, one of possessions and one of actions in words or deeds. Authority is 'in a way' a kind of ownership, resembling it in certain respects, differing from it in others. As readers, we have to make out from which vantage point ownership of goods may provide a key to understand ownership of words and actions, i.e., authorship or authority in Hobbes's sense.

This is precisely the point where the conceptual furniture of the law is called upon to set the scene for the drama of (a philosophy of) politics to unfold. Note, first and foremost, that Hobbes speaks, as doctrinal law consistently does, of ownership as the *right* of possession, not as factual occupation. Given the parallel, this applies to the ownership of words and actions, hence authority, as well as to the ownership of goods. Thus, authority is a *right* to say and to do certain things, as Hobbes states in so many words[7]. Obviously, this right is not what we, in our time, call 'freedom of expression', namely an immunity on the part of subjects over and against the government of their state with regard to opinions they may wish to vouch peacefully in public. Not only would it be an anachronism to read this into his argument; it would also be at odds with the conceptual parallel Hobbes draws. His anchor for authorship is ownership, i.e., a relation from a subject to one's words and actions as if these were 'objects' one 'possesses' rightfully. But clearly, one's words and actions are not objects like houses, cars, or even debts and loans. They are *one's own* without *being owned*. Ownership in this sense is internal, reflexive rather than objective, referring to a subject taking herself as an object precisely in so far as she is a subject, ascribing first-person references to *herself.* While regarding possessions, ownership entails the capacity to distance oneself from them, selling them, bequeathing them, abandoning them, the owner of words and actions can only distance herself from them by claiming that they were not really hers, that she acted under the influence of powers beyond her control, e.g. some psychiatric mechanism, in other words, that she acted *not* qua subject. By making excuses for words and actions, subjects acknowledge in hindsight that one acted as a subject after all, but 'inadvertently',

6 L, 16 (84).
7 L, 16 (84): '(…) so the Right of doing any Action, is called Authority.'

'mistakenly', thus admitting that one was under the *obligation* to act with greater care. Note that such an obligation does not have to be imposed at all externally, e.g., by one's environment. Even if one does not owe an apology to others on their demand, one may owe it to others on one's *own* demand, namely in virtue who one regards oneself to be, i.e., one's 'better' self[8]. This is what conscience is about.

This brings me to my second point with regard to the right of ownership as the paradigm of rights. What law teaches us with regard to ownership is that rights come with certain obligations to others. There is no owning without owing. Being 'master' of one's words and actions, in the reflexive way of ascribing them to oneself, entails accepting a burden, a responsibility. When I call 'Fire!' in a crowded cinema, just to create panic for fun, I cannot invoke my right of freedom of expression. Or again, when I cause damage to my neighbor by neglecting the roofing drainage system of my house, I cannot invoke my property rights. Ownership as a 'right' teaches us something of a more general insight. Any action in word or deed we call 'ours' entails accepting a responsibility to insert it into the picture we have of ourselves in the world around us, and to change either ourselves or the world accordingly. If I utter a simple statement like 'There is a goldfinch in the backyard', I anticipate fulfilling an obligation, namely, to back up why I deserve credit for my statement[9]. Whether on request or not on request of others, I may say things like: "I can see it from my window", "I heard its typical call", or "They are here all year round".

In sum, what 'ownership' of words and actions conveys is a philosophical rather than a legal point, namely that there is this specific mode of agency characterized by 'reflexivity'. I discuss the relevance of this account in the last section. Suffice it to say here that it entails the capacity to ascribe first-person references to *oneself*, i.e., to conceive of the world (in judging and willing) from a *first-person* vantage point, more in particular a first-person *singular* one. At a later stage I will argue that this does not entail what is commonly lumped together with it, to wit a 'subjective', and therefore 'arbitrary' vantage point.

3. Contracts

Let us now turn to an even more salient example of legal vocabulary that seems to undermine the received view, namely the notion of contract as it emerges in Hobbes's version of the contract that establishes political order in the first place, the social contract.

In *Leviathan*, the idea of a contract or covenant is introduced by making a distinction, once more, between 'natural' and 'artificial' agreements (L, 17 (86-7)). The natural ones are ascribed to

8 Taylor 1989: 25ff, "The Self in Moral Space".
9 J.L. Austin's favourite example in his paper 'Other Minds'. Cf. Austin 1970: 76ff.

> (…) certain living creatures, as Bees and Ants, [who] live sociably one with another, (which are therefore by Aristotle numbred amongst Political Creatures;) and yet have no other direction, than their particular judgments and appetites; nor speech, whereby one of them can signifie to another, what he thinks expedient for the common benefit (…).

Artificial agreements, on the other hand, are 'by Covenant', which are ascribed to a different kind of creatures, mankind. These creatures are in permanent competition with one another, not only for resources to satisfy their needs but also for gain and glory. Their faculties of reason and speech allow them to fight endlessly about the best order of society and to camouflage good as evil, or vice versa, thus "troubling their Peace at their pleasure". Therefore, artificial agreements between men cannot exist 'by covenant only'. To make them sustainable over time, such agreements should always *also* establish "a Common Power, to keep them in awe, and to direct their actions to the Common Benefit". Note that establishing this common power is part and parcel of the covenant and that such power does not precede it. That is to say, there is no ontological status of this power prior to the agreement. In doctrinal legal parlance, the Common Power is part of the *causa* of the contract, and the burden of 'awe' is its consideration. However, once more, this legal idiolect should not lead us to conclude that law warrants politics after all.

Generalizing his idea of an artificial agreement, Hobbes famously states that this Common Power is the essence of a body politic:

> (…) One Person [or Assembly; BvR] of whose acts a great Multitude, by mutuall Covenants one with another, have made themselves everyone the Author, to the end he may use the strength and the means of them all, as he shall think expedient, for their Peace and Common Defense.[10]

As most Hobbes readers will acknowledge, there is no 'contract of submission' between society and Leviathan, as a follow-up of the mutual agreements between the members of society. Authorisation of, and obedience to, this 'one Person' is the very content of the 'covenant of every man with every man', i.e., of the reciprocity by which they frame their endeavors. It is noteworthy that this one Person is conceived of as *power* for the covenant to be 'constant and lasting', i.e., sustainable over time. Mutual consent is sufficient, says Hobbes, to speak of an agreement between humans, but insufficient to have this agreement keep 'warre' at bay. Note that war, here, is a constellation that consists not in actual fighting "but in the known disposition thereto, during all the time there is no assurance to the contrary" (ch. 13). The constitution of common power, indeed constituting constitutional power, is what a lasting agreement is geared towards. In more contemporary words, the very creation of constitutional power is formatted by Hobbes as an exercise in joint action, performed by a first-person plu-

10 L, 17 (90). Italics in the original. Cf. C, 6 (174ff.).

ral, a 'we, together'. This "quasi-indicator"[11] *together* is the plural counterpart of the singular 'oneself', indicating a plural agent's capacity to ascribe first-person references to *themselves*. Deeper analyses of such devices of self-reference in the plural sense[12] invariably suggest that the phrase 'together' is a proxy for reciprocity. At core, 'doing things together' is not so much 'doing the same thing', but 'tuning into each other's contributions to the same thing'. For Hobbes, the basis of these ascriptions is a political rather than an ontological one: a process of mutual "giving and taking"[13], as all exercises in joint action are[14], but upgraded to the next level in as far as establishing common power is the only thing at stake. Whereas 'ownership' as the right of all rights conveys reflexivity in the singular, the 'covenant' as the contract of all contracts conveys reflexivity in a plural mode, picturing it as an exercise in reciprocity.

Hobbes is at pains to spell out the qualitative differences between 'an (artificial) agreement and 'a *lasting* (artificial) agreement'. By doing so he explains why there is no escape from 'the power of One' being the cause of the social contract. The reason is that a lasting agreement needs 'an arbitrator', i.e., a *judge*[15]. Without a judge as a third-person agent, the reciprocity that is constitutive of the first-person plural agreement is not sustainable.

> (…) unless the parties to the question, Covenant mutually to stand to the sentence of another, they are as farre from Peace as ever. This other, to whose Sentence they submit, is called an Arbitrator. And therefore it is of the Law of Nature, *That they that are at controversies, submit their Right to the judgement of an Arbitrator.*[16]

Only installing a judge can warrant a sustainable first-person plural mode of reflexivity, i.e., the reciprocity of interests undergirding a 'we-together'. Emphatically, though, the power ascribed to this third person is the power of judgment. The endeavour of joint, i.e., reciprocally performed, action that the social contract stands for, constitutes, first and foremost, a mode of judging in the sense of decision-making that is binding on subjects who tied *themselves* to the mast of their joint action. If one wants to call this 'submission' after all, it is self-submission, in other words commitment. The obligations imposed by the arbitrator called Leviathan are the things we owe to ourselves, rather than to some arbitrary external power. They cannot be imposed arbitrarily, violating the principle of reciprocity altogether. In other words, the arbitrator becomes the

11 Quasi-indicators are referring devices that ascribe self-reference to an agent. Over the years, I have consistently used this terminology, derived from Castañeda (1967). See also Castañeda (1966) for extensive explanations.

12 See the elaborate argument in Van Roermund (2003a) and Van Roermund (2020a).

13 Lindahl 2006.

14 This seems to me a common point in otherwise divergent approaches to 'joint action' by, for instance, Bratman (1999); Gilbert (1996), Gilbert (2000), Gilbert (2013); List and Pettit (2011). See also Lo Giudice (2007).

15 Cf. C, 3, under nr 21(146).

16 L, 16 (81). Note that '(to) Covenant' is a verb here.

guardian of reciprocity, to prevent arbitrariness from slipping into the life of the polity. However, all of this should not divert us from acknowledging that this one third person should be empowered, i.e., be enabled to not only judge but also impose judgment, if need be also against those who want to have it both ways, namely to subscribe to the common wealth above all and to pursue their own wealth after all[17].

4. Laws (of nature) and peace

Let us conduct a third test on the thesis that Hobbes uses legal concepts to undergird his philosophical thesis. This thesis, to repeat, is that politics underlies law, and indeed all human culture, rather than the other way round. For this third test I select the very concept of 'laws' as Hobbes uses it in the context of "laws of nature" or "natural laws" (L, 14-15 (66ff))[18].

Here I can be brief. At the end of L, 15 (83) Hobbes makes it perfectly clear that he uses the word 'laws' not in the strictly legal sense. Properly speaking, a law is a command to others by some agent who is *authorized* to do so. Natural law, by contrast, are "dictates of Reason", "precepts or generall rules of Reason" (L, 14 (66; 67)), and they therefore belong to the realm of *veritas* rather than *auctoritas*. Only if one considers that they are 'the same' as, i.e., in unison with, what is delivered to us as the word of God, it becomes proper to call them 'laws' after all, since God's word 'commands all things'. Note, thus, that they do not derive their status directly from a religious source but from their *congruence* with a religious source[19]. They have a pedigree of their own in 'reason'. One of the things that reason imposes on us are beliefs that cannot be denied without contradicting oneself.

However, if we take a closer look at these natural laws, we find that their conceptual format is ambivalent. According to the last pages of L, 15 (82) they all belong to 'moral philosophy', which Hobbes defines as "the science of good and evil". Valuable as it may be in its own right, this 'science' does not provide a key to societal order, he says, since humans differ greatly in what they call good and evil, from one society to another, and even within one and the same society. Thus, these precepts remain without guiding force as long as there is no common power installed, as Hobbes stresses once more. But no sooner is such power installed, or the precepts of reason redeploy their guidance, now guiding the judgment of an arbitrator who will be no less obedient to the rules of reason

17 Cf. L, 14 (72) saying of criminals that '(…) they have consented to the Law, by which they are condemned.'

18 Cf. C, 2 (121) and 3 (136).

19 In this regard, Hobbes follows Grotius (1631) famous dictum in Prolegomena para. 11 to *De iure belli ac pacis*: "What we have been saying would have a degree of validity even if we should concede that which cannot be conceded without the utmost wickedness, *that there is no God, or that the affairs of men are of no concern to Him.*"

than the agents who authorized this arbitrator in the first place. Moral principles have to yield to common power in order to regain their moral impact. So they do not lose their moral meaning to arbitrary acts of will on the part of the Leviathan.

Note that the predicate 'common' in the phrase 'common power' preserves a core of morality as it bears out reciprocity (see section 2). Hobbes makes this more explicit by summarizing his natural laws under the heading of what we know as 'the Golden Rule': "Do not that to another, which thou wouldest not have done to thy selfe". This rule is the most succinct expression of the principle of reciprocity one can think of. At the same time, however, it casts reciprocity in the mold of a *singular* self. And since, as we saw, reciprocity is the hallmark of a *plural* self in action, i.e., the mode of reflexivity that is characteristic of a first-person plural agent, we here have reflexivity 'two in one'. Hobbes has a seemingly legal concept, the concept of law, serving a philosophical pursuit, expressing both singular and plural reflexivity at the basis of the polity. Once more we find reason to stick to the received view that Hobbes puts up, as his *philosophia prima,* a philosophy of the political rather than a philosophy of the legal, in spite of the fact that he seems to need legal concepts to get his head around the political.

The umbrella of the Golden Rule, however, is not enough to hide the ambivalence of the laws of nature from the eyes of Modernity. The list of Hobbes's laws (I count fourteen, but the number is irrelevant) starts with the norm that every man "*ought* to endeavour Peace, as farre as he has hope of obtaining it" (L, 14 (67)). All other laws follow from this first one. While the 'ought' of this precept follows from reason, and in this sense from 'nature', it seems *also* obedient to a crucially different kind of 'nature', namely the 'passions' of man. Put in the key of passions, peace is not a norm but some *terminus ad quem* which human agents are "enclined to" by nature (cf. L, 13 (66)), namely as a factual disposition to avoid 'war' in their individual pursuit of safety, gain, and reputation[20]. When, at the beginning of Part II (Of Common-Wealth) Hobbes emphatically writes that the laws of nature are "contrary to our natural Passions" (L, 17,(86)), what he means is that these passions emerge and generate 'war' if and when agents are frustrated in their infinite pursuit of self-preservation as 'the passion of all passions'. The default disposition is to avoid such interferences and to be left 'in peace' with regard to one's passions. This disposition is not driving any joint action; well on the contrary, it is something characteristic of *each* human agent, setting them up against each other. It is common in the sense of it being the *same* property returning in all of us; not common in the sense of 'shared' in reciprocity. The 'peace' desired in a life driven by individual passions is clearly at odds with the peace achieved by establishing a commonwealth. They are both 'natural', but in a very different sense.

20 L, 13 (64), with corresponding 'causes of quarell': competition, diffidence, and glory (Ibid.).

Hobbes's fallacy, as we may call it, is induced by swapping two conceptions of the first-person plural, which Gilbert, in a contemporary idiolect, distinguishes as "we-each" and "we-together". From the fact that peace is what each agent in society wants most, Hobbes infers that peace is a common denominator on the part of all individual agents; and that this again corresponds with peace as a fact of reason, i.e., a peace to be held in common. However, the semantic field opened up by the use of the word 'peace' on the part of individual agents is precisely what sets them up against each other. It is divisive in the extreme. To call it a common denominator is only possible from the vantage point of an external observer. For the agents themselves it is the root of conflict without end, as Hobbes clearly saw. This is precisely why he conceived of politics as the authorization of one power held in common, represented by either an individual or a council.

5. Self-reference, sameness, and selfhood

Let us take stock now by arguing why so much ink should be spilled over the notion of reflexivity in politics. My overall thesis in this paper is this: What Hobbes tries to map out by the use of (quasi-)legal terms is a philosophy of the polity that allows this phenomenon to appear as a relationship of a collective agent to herself qua first-person plural. I think Hobbes was right in regarding this as a necessary prolegomenon for the philosophy of the political that he aimed to develop; namely, a free-standing account of the political, so to speak, without roots in a philosophy of law as a pre-established order, as was characteristic of 'the Schools'. The order he advances is based on the principle of reciprocity of interests, to be negotiated time and again under the Golden Rule. These negotiations need a power held in common, represented by one agent, to impose obligations on the very same agents as those who hold them in power. His is, first and foremost, a power of judgment, that has to hear to the conditions that allow the Golden Rule to be obeyed. Hobbes's concept of authority is, therefore, less voluntaristic than is sometimes thought[21]. I submit that the legal concepts bolstering up this conception of political authority, lay the groundwork for it by introducing, along different lines, an account of first-person plural reflexivity.

Without such an account, Hobbes saw, it would be difficult to develop an idea of what it means for a polity to pursue *self*-preservation, *self*-determination, or *self*-awareness over and against individual modes of such pursuits. Not that he underestimates these individual pursuits and their impact on societal life. On the contrary, acknowledging that self-preservation is a driver in each and every social agent, Hobbes advocates a political, i.e., a *common* or *joint* response to this datum. For as we saw, self-preservation in itself it is not a *datum* (a given) at all, let alone a key to social order. The drive to warrant the satisfaction of individually felt needs; indeed, to warrant such satisfaction in advance whatever

21 Let alone decisionistic. Cf. Schmitt 1982 [1938].

the needs may appear to be in the future, pushes agents into what MacPherson called "possessive individualism"[22]. As I argued elsewhere[23], once self-preservation is defined in term of the satisfaction of needs, the whole world around an agent-in-need turns into a grand reservoir of means that are, or are not, suitable to their satisfaction. It becomes, in a sense, the extension of this agent, a set of resources that warrant or threaten self-preservation as an infinite effort to 'remain the same'. From a 'need-perspective' the surrounding world is bereft of its potential of counting against this pursuit, since from the outset it is framed as 'being at my disposal', even to the point where this becomes self-destructive on top of being destructive to others. It does not inform the agents about their ambitions being 'false', nor does it contribute to gradually carving out a more realistic awareness of themselves. So, yes, a common response to these infinite individual tactics of occupation, seems to be the only way out. And we better make it a powerful one, Hobbes submitted, because mere words have little ordering potential. The emphasis on power, however, should not make us forget that Hobbes means *common* power, power established in reciprocity and exercised for the sake of reciprocity over time. This is the power he calls "authority", a power that remains with those who enter the covenant and that is exercised by those who are called upon to represent it[24].

Self-preservation, self-determination, self-awareness in the plural, such basic concepts are important in our time. They are crucial if we want to make sense of our contemporary political idiolect, for instance when we talk about 'self-defense' as a justification for war; or about a region's pursuit of 'autonomy' and its cry for 'freedom'; not to speak of the efforts to preserve a country's 'identity', or a society's responsibility to next generations. All of these and similar phrases hinge on the possibility to conceive of plural agents acting on the basis of a relation to themselves qua collective. Such conception is also in the background of less explicit references to a 'we-together', like "BNP", "national security", "general elections", or "European Union". None of these can acquire sense unless one assumes a plural self, involved in joint action.

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23 Van Roermund 2013. For an in-depth analyses of self-preservation in Modernity, see Lindahl (1995).

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