Hobbes on rebellious groups

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Abstract

In this paper we deal with Hobbes's elucidation of the political conflict caused by rebellious groups. First of all, we attempt to prove that groups are important characters in Hobbesian antagonisms. Secondly, it will be argued that the isomorphic structure that underlies all associations is vital to account for these disputes. To wit, the fact that minor corporate bodies are 'similar' *vis à vis* the State leaves a lengthy flank open to rebellion, since this homology may encourage their leaders to compare themselves with the sovereign and to challenge his or her power. Whereas the inclusion of this trait may seem at face value paradoxical to Hobbes's absolute order project, we shall contend that it is actually a way of ascribing responsibility to the leaders of rebellious groups. Furthermore, as a subsidiary hypothesis, it will be claimed that the centrality of the theory of represented corporations is a result of Hobbes's aim to erase, not rebellion as such, but only its tumultuous setup.

Keywords

Hobbes; Corporations; Rebellion; Conflict; Responsibility.

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1. Introduction

To explicate Hobbes's account of rebellion with an emphasis on the role played by intrastate groups is not an obvious approach. Conversely, it has been contended that Hobbes is by and large an individualist thinker. Of course, individualism is a very broad and ambiguous term, so let us very briefly gloss these views. Some interpreters have argued that the resolutive-compositive *mathesis* that our author assumes as a speculative point of departure leads us to decompose the political body into its most simple elements, namely, human individuals. To understand why 'nature… dissociates, and render men apt to invade, and destroy one another' (*Leviathan*, XIII.10, 194), one should atomize political society in its basic particles, and isolate the causes of conflict between humans: their passions as principles of motion. In this rendering, Hobbes should be read as an individualist because his methodological commitments require it.[1]

[1] *Cf.* among others, Watkins, 'Philosophy and Politics', 132-3; Gauthier *The Logic of Leviathan*, 20; Hungerland & Vick, 'Hobbes' Theory of Signification', 463-4; Shapiro, *Individual Rights in Modern*

Other scholars have attributed an individualist label to Hobbes in virtue of his egoistic anthropology. The central thesis of this account could be put as follows: Hobbes's major political task is to show how uncooperative and self-interested individuals in conflict with each other may find a way to reach a minimum level of coordination that would assure personal security and internal peace. In sum, this interpretation concentrates on the motivations (or incentives) on which individuals would most probably be persuaded to covenant 'each to the others' and, thereafter, to form a State. *Ergo*, conflict would be a matter of contradictory (material or ideological) interests between human individuals.[2]

Without denying the importance of individual motivations, we will claim that a thorough understanding of rebellious conflict requires a supplementary axis of analysis, namely, that of a political field inhabited not only by individuals, but also by collective agents. With the term 'conflict' we shall consider any event aimed to obtain the submission of an enemy under one's authority, regardless of the fact that the event occurs in the state of nature or within a sovereign Commonwealth. In this sense, conflict signifies the blurring of the boundaries that divide both conditions or, in Hobbes's terms, 'a relapse into the condition of war, commonly called rebellion; and they that so offend, suffer not as subjects, but as enemies. For *rebellion* is but war renewed' (*Leviathan*, XXVIII.23, 494).

We will buttress our proposal with three interrelated theses. First, the corporatist constitution of the Hobbesian political stage, that holds that we cannot do without

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Liberal Thought, 187; Hampton, *Hobbes and the Social Contract Tradition*, 6-7; Pateman, *The Sexual Contract*, 55; Bobbio, *Thomas Hobbes and the Natural Law Tradition*, 151-2; Udehn, *Methodological Individualism*, 8; Flathman, *Thomas Hobbes: Skepticism, Individuality and Chastened Politics,* 8. In a more tangential allusion, these are the methodological mistakes that Hegel objects to contractualism in his *Grundlinien der Philosophie des Rechts*, § 156.Zu., 305.

[2] The list of interpreters that would comply with this statement is very large. Excellent summaries of this model can be found in Piirimäe, 'The explanation of conflict', 3–21; Eggers 'Hobbes and the Game Theory Revisited', 193-226; and Abizadeh, 'Hobbes on the causes of war', 298-315.

groups when we examine both conflicts in the state of nature or rebellion within a political society. Second, Hobbes's partial compliance with the so-called concession principle, according to which corporations can only be created with the explicit or, at least, tacit authorization of the sovereign power. Third, the isomorphism thesis, that maintains that there is a genetic and structural similarity between the State and the intermediate associations. The interplay of these premises will allow us to explain why is it that groups tend to rebel against the Commonwealth.

2. Three corporatist theses

2.a. The corporatist constitution of the state of nature and the State

Although the frontispiece of *Leviathan* displays a political community structured by an unmediated and univocal relationship of a sovereign with his individual subjects, there are good reasons to contend that corporations play, at least, a significant part in Hobbes's theory.

To begin with, we should take heed of his reconstructions of the pre-history of the State: 'It is evident that dominion, government, and laws, are far more antient than history, or any other writing, and that the beginning of dominion amongst men was in families, in which, first the father of the family by the law of nature was absolute lord of his wife and children' (*Dialogue*, 134-5).

Summarily, the point Hobbes is trying to put forward is that in ancient societies the sovereigns were the *Patresfamiliae*. They were the ones who fulfilled the duties that now pertain to the office of the State's representative.[3] In addition, that means that the state of nature does not lack of forms of collective organization, since

[3] For a thorough analysis of the similarities between the authority of the sovereign and that of the familial chief, see Chapman, '*Leviathan* writ small', 78-9; and Hoekstra, *The Savage, the Citizen, and the Foole*, 43-4.

family groupings are certainly inherent to it. To be sure, these units exceed the mere 'parents plus children' pattern. For Hobbes, a family is a 'private regular body' in which 'children and servants… are subject to their fathers and masters as to their immediate sovereigns' (*Leviathan*, XXII.26, 368). In certain conditions a family may even grow into a small kingdom: 'If a family increases and grows so big with large numbers of *children* and the acquisition of more *slaves* [*servorum*] that it cannot be subdued without a war of uncertain outcome, it will be called a PATRIMONIAL KINGDOM' (*De Cive*, IX.10, 112).

This same view emerges when Hobbes describes the wars of all against all that preceded the institution of the State: '…if there be no power erected, or not great enough for our security, every man will, and may lawfully rely on his own strength and art, for caution against all other men. And in all places, where men have lived by small families, to rob and spoil one another has been a trade…' (*Leviathan*, XVII.2, 254). As we can see, in this version of the state of nature its protagonists are the familial gangs that carry out the spoliation, not the individuals.[4] In a similar fashion, Hobbes explains that 'in nations not thoroughly civilized, several numerous families have lived in continual hostility, and invaded one another with private force; it is evident enough… that they had no Commonwealth' (*Leviathan*, XXII.31, 372). In fact, gang-plundering was a *vitae institutum*, *i.e.*, the cornerstone that organized the living in common in antiquity:

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[4] Groupings in the state of nature have not been neglected by Hobbes's interpreters. *Cf.* Strauss, *The Political Philosophy of Hobbes,* 102-3, and his rejection of Maine's critiques against Hobbes regarding the primitive condition of mankind. Also: Schochet, 'Thomas Hobbes on the Family and the State of Nature', 442; Ashcraft, 'Hobbes's Natural Man', 1105; Chapman, '*Leviathan* writ small', 78; Forsyth, 'Thomas Hobbes and the external relations of states', 201; Kavka, 'Hobbes's War of All Against All', 304-5; Tricaud, 'Hobbes's conception of the state of nature from 1640 to 1651', 112; Bobbio, *Natural Law Tradition*, 16; Hoekstra, *The Savage, the Citizen, and the Foole*, 44-5; Boucher, 'Hobbes's Contribution to International Thought', 40; Sagar, 'Of Mushrooms and Method', 102; and Christov, *Before Anarchy*, 58.

'In early times there was a way of life, which was also a kind of trade, which they called *lestrikén, living by plunder*' (*De Cive*, V.2, 69).[5]

The most fitting example for this sub-state way of life are the aboriginal tribes of America, who 'except the government of small families… have no government at all' (*Leviathan*, XIII.11, 194). *Stricto sensu*, what Hobbes intends to illustrate with this model is a state of 'war that cannot be brought to an end [*sempiternum bellum*] by victory because of the *equality* of the contestants [and thus] is by its nature perpetual' (*De Cive*, I.13, 30, our emphasis). Perpetuity of war in state of nature, we come to learn, is a consequence of the impossibility of constituting, by contract or by force, a sovereign group that keeps in awe all the rest of the competing factions. If this equality situation cannot be modified, there will never be peace or, even, the slightest guarantee of a durable protection.

Of course, someone could still dispute that this group-articulated anarchy happens only before the institution of the State, but not after it, where the sovereign relates to his or her subjects in a frontispiece-like basis.[6] This reading does not hold water, however, if we take due consideration to chapters XXII and XXIII of *Leviathan*.

There, Hobbes elaborates on his theory of 'systems', the genus of human association that comprises both States and minor corporations. Or, to use his terms, 'any numbers of men joyned in one interest, or one bussinesse' (*Leviathan*, XXII.1, 348). To begin with, he claims that 'only common-wealths' are 'absolute and independent' systems, in the sense of 'subject to none'. Within commonwealths, we may encounter various subsystems referred to as 'dependent' or 'subordinate

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[5] Also *Elements*, XIX.2, 104; and *Leviathan,* XIX.2, 118.

[6] *Cf.*, for instance, Böckenförde & Dohrn-van Rossum, 'Organ, Organismus, Organisation, politischer Körper', 555: 'As the frontispiece shows, we are not dealing any more with the unity in diversity permanently alluded by tradition, but with the universal identity that demolishes all class distinctions through submission under the holder of sovereignty'.

to some soveraign power' (*Leviathan*, XXII.2, 348). This is the world of corporations we are intent on. 'Of systems subordinate, some are *politicall*, and some *private*. *Politicall* (otherwise called *bodies politique*, and *persons in law*), are those which are made by authority from the soveraign power' (*Leviathan*, XXII.3, 348).

Subordinate political bodies are essential to the organization of the Hobbesian State. 'In bodies politique, the power of the representative is always limited: and that which prescribeth the limits thereof, is the power soveraign' (*Leviathan*, XXII.5, 350). 'The bounds of that power', claims Hobbes, 'are to be taken notice of from two things. One is their writ or letters from the soveraign, the other is the law of the commonwealth' (*Leviathan*, XXII.5, 350). In other words, they serve as commissioners of the sovereign power or are granted a license to act in a limited jurisdiction.[7] If the sovereign creates or entitles political systems, it is because it needs them to execute some specific function on its behalf.[8] The same should be argued with respect to the ministers of the State 'by the sovereign… employed in any affairs with authority to represent, in that employment, the person of the Commonwealth' (*Leviathan*, XXIII.1, 376).

In point of fact, these systems are 'bodies made for the government of men or of traffique' (*Leviathan*, XXII.25, 366) such as 'the government of a province, or a colony… a town, an university, or a college, or a church' (*Leviathan*, XXII.16, 360), and even a 'bodie politique for counsel to be given to the soveraign' made up of 'deputies' (*Leviathan*, XXII.25, 366). The model for the organization of trade within the commonwealth is the 'company of merchants' with a 'grant' (*Leviathan*,

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[7] On the difference between authorization by commission or by license, see Copp, 'Hobbes on artificial persons and collective actions', 589-92. On the chartered grants that transform corporations into institutions, see Barkan, *Corporate Sovereignty*, 16 and 37.

[8] Baumgold, *Hobbes's Political Theory*, 14 and 80-4, has underscored the way in which groups and officers contribute to the functioning of the State.

XXII.18, 362) like the '*Virginia and Sommer-Ilands*' (*Leviathan*, XXII.16, 358).[9] In a nutshell, '[t]he variety of bodies politique is almost infinite' (*Leviathan*, XXII.16, 358).

Private systems, on the other hand, 'are those which are constituted by subjects among themselves, or by authoritie of a stranger. For no authority derived from forraign power within the dominion of another is publique there, but private' (*Leviathan*, XXII.3, 348). Of these, 'some are *lawfull*, some *unlawfull*: *lawfull* are those allowed by the common-wealth; all others are *unlawfull*' (Leviathan, XXII.4, 348). Paragons of private legal systems are 'all families in which the father or the master ordereth the whole family' (*Leviathan*, XXII.26, 368). Private illegal bodies, in turn, 'are those that unite themselves into one person representative, without any publique authority at all, such as are corporations of beggars, theeves and gipsies'. Hobbes mentions also the 'corporations… that by authority of any forraign person unite themselves in anothers dominion for the easier propagation of doctrines and for making a party against the power of the common-wealth' (*Leviathan*, XXII.27, 368), 'leagues of subjects… for mutuall defence' (*Leviathan*, XXII.29), 'a faction or conspiracy' (*Leviathan*, XXII.30, 370), and 'families… with private force' (*Leviathan*, XXII.31, 370).

Tellingly, Hobbes refers to all the systems as the 'similar parts' of a Commonwealth, which resemble 'the muscles of a body natural' (*Leviathan*, XXII.1, 348). The organic vocabulary strengthens the impression that associations are not, as Rousseau saw them,[10] eradicable malformations within a political society, or

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[9] As Noel Malcolm, 'Hobbes, Sandys, and the Virginia Company', has shown, Hobbes was very well acquainted with the functioning of the Virginia Company, especially regarding its board of representatives.

[10] *Cf.* Rousseau, *The Social Contract*, II.3, 173: 'It is important, in order to have a clear declaration of the general will, that there should be no factions in the State, and that every citizen should express only his opinion'.

weeds that grow in the land of a negligent ruler. Rather, systems integrate the artificial body of the State as muscles a natural body. Even illegal systems are *parts* of the Commonwealth.

Since the landscape of Hobbes's political society will necessarily include these 'wens, biles and apostemes engendered by the unnatural conflux of evil humors' (*Leviathan*, XXII.34, 374), cases of corporate disobedience are to be expected. Factions, in particular, have a disposition of 'being contrary to the peace and safety of the people and taking… the sword out of the hand of the sovereign' (*Leviathan*, XXII.32, 372). Thus, it is fair to presume that Hobbes countenances a considerable amount of conflict originated by groups within the boundaries of the commonwealth. That is why he classifies as

> …an infirmity of a Commonwealth… the immoderate greatness of a town, when it is able to furnish out of its own circuit, the number, and expense of a great army. As also the great number of corporations; which are as it were many lesser Commonwealths in the bowels of a greater, like worms in the entrails of a natural man (*Leviathan*, XXIX.21, 516).

Far from incidental, this corporatist concern already appeared in *The Elements* and *De Cive*. In *Elements*, Hobbes refers to 'subordinate bodies politic [that] are usually called CORPORATIONS; and their power such over the particulars of their own society, as the whole city whereof they are members have allowed them' (XIX.9, 107). There, he warns as well against 'the making of one body of rebellion' (XXVII.11, 169). As to *De Cive*, he reiterates that 'associations of this kind [i.e., *corpora soladitatis*] are *civil persons* subordinate to the *commonwealth*' (V.10, 73). Moreover, Hobbes makes explicit his attention to group conflict when he alerts to its dangers: 'if Sovereigns have a duty to control factious individuals, much more is it their duty to break up and disperse the factions themselves' (XIII.13, 149).

In the light of these considerations, it seems quite reasonable to venture that groups are indispensable to explain the antagonisms that occur both in state of nature and in civil society. After all, as Hobbes suggests in his *Answer* to *Gondibert*, 58, there are only two results when human beings join together: 'actions of men, which singly are inconsiderable, after many conjunctures, grow at last either into one great protecting power, or into destroying factions'.

2.b. The concession principle

Faced with group antagonism, Hobbes cannot just stay on the side-lines. One of the purposes of instituting a political society, some would argue, is precisely to restrict the spontaneous generation of autonomous confederacies. To be more accurate, Hobbes would resort to the so-called 'concession principle', according to which the sovereign creates the conditions in law that make the formation of corporations possible.[11]

Besides, in chapter XVI of *Leviathan* Hobbes had already set the requirement that the personation of 'inanimate things, as a church, an hospital, a bridge' should proceed from the approval of the State: 'such things cannot be personated, before there be some state of civil government' (*Leviathan*, XVI.9, 246).[12] On this view, there is no other way to form a corporation, but through the downward

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[11] Those who think of Hobbes as an adherent of the concession principle are: Gierke, *Natural Law and the Theory of Society*, 81; Runciman, *Pluralism and the Personality of the State*, 30; Koch, *Zur Dis-/Kontinuität mittelalterlichen politischen Denkens*, 131; Brito Vieira, *The Elements of Representation in Hobbes*, 148; Barkan, *Corporate Sovereignty*, 37-8; Turner, *The Corporate Commonwealth*, 21; and Malcolm, 'Thomas Hobbes: Liberal illiberal', 125-6.

[12] As Michaud-Quantin, *Universitas*, 99, recounts, in the late Middle Ages 'a bridge has autonomy... and is recognized as a moral and legal person whose rights are exercised by an association analogous to that which ensures service in hospitals'. Hobbes might have had in mind the Sutton case that concerned a hospital which possessed a charter but did not effectively exist as such. For a brief summary, see Turner, *The Corporate Commonwealth*, 14-7.

authorization of the absolute authority. Individuals are not allowed to freely erect a proper system by their own means.

It is towards this end that Hobbes might have outlined a three-fold categorization of dependent systems: political bodies, which are directly commissioned by the sovereign power; private legal bodies, simply tolerated by the State's legal framework; and private illegal bodies, prohibited by the State.

The concession principle is manifest in the first category. As we have verified, 'bodies politique… are made by authority of the sovereign power' (*Leviathan*, XXII.5, 350). With respect to private legal systems, we may presume without risk that they cover the field of tacit authorization, since they '…are constituted without letters or other written authority, saving the laws common to all other subjects' (*Leviathan*, XXII.26, 368). Seen from the top, the set of duties attached to the private representatives, even though less specific than the public ones, are still vertically conferred: the main obligation in the exercise of the group representation is to abide by the law. If this does not occur, corporations (and their representatives) shall be classified as illegal.

Hobbes's solution to the corporate problem would then entail an exhaustive implementation of this principle. His motto could be summarized as follows: 'no corporation without the sovereign's assent'. All in all, the alleged adoption of the principle of concession should not come as a surprise. In this respect, Hobbes would be just another epigone of a doctrine that predates him. The prevalence of this principle in early modern England is, indeed, corroborated by contemporary juridical treatises regarding corporations,[13] all of which subscribe to the concession

[13] Halliday, *Dismembering the Body Politic*, 33, gives an excellent outline of the sovereign's prerogative 'to make corporations'. Certainly, Matthew Hale stated in his *An Analysis of the Civil Parts of the Law*, 40: 'corporations, that is, bodies created by operation of law'. In like fashion, William Sheppard, *Of Corporations, Fraternities, and Guilds*, 4: 'A corporation is a body politic authorized by the Lord

premise, and, in factual terms, by the variegated array of human affairs commissioned or licensed by the sovereign.[14]

2.c. The isomorphism thesis

Regardless of this seeming solution, one could not help but to feel a little curiosity with Hobbes's use of the rubric 'similar parts' in chapter XXII. What is it supposed to mean? It has been argued that Hobbes is alluding tangentially to Aristotle's concept of *homoeomería*.[15] According to the Philosopher, *homoeomerous* are those bodies 'in which we can apply the same name in the same sense to a part of it as to the whole' (*De Generatione et Corruptione*, I.1, 314a20). As a result, this category may lead us to infer that all Hobbesian systems, dependent and independent, are *similar* to each other, and that is just what we intend to maintain in this section.

To be more precise, we will try to break down two premises: (i) that the *union* instituted by a state body and the one displayed by a subordinate corporation are, in essence, the same; (ii) that the *genetic process* of establishing a State is, again, identical to the one involved in the erection of a subsystem.

With respect to the former, it is a recurrent feature of Hobbes's theory. As a matter of fact, in the *Elements of Law* he claims to be the first one to notice this correlation of unions.[16] Up to that day, there had been a

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Protector's Charter, to have a common seal, head officer or officers, and members', and 6: 'There must be a good and lawful authority for the erection of it'. Additionally, *The Law of Corporations* of 1702, 2, stated: 'The king creates corporations'.

[14] As Laski, 'The Early History of the Corporation in England', 587, reconstructs: 'with the advent of the Tudor… it is rendered unlawful for any fellowship to make its by-laws without the approval of certain great judicial functionaries'.

[15] *Cf.* Bobbio, *Natural Law Tradition*, 176 and Frede, 'On Generation and Corruption I.10', 302.

[16] Interestingly, Hobbes's appreciation concurs with Gierke's famed contention in his *Political Theories of the Middle Ages*, 29-30: 'As in Antiquity, also in the Middle Age, the idea of an organic society failed to issue in the legal idea of personality –the single personality of the group'. Maclean, 'Legal Fictions

> …want of understanding of what is meant by this word body politic, and how it signified not the concord, but the union of many men. And though in the charters of subordinate corporations, a corporation be declared to be one person in law, yet the same hath not been taken notice of in the body of a commonwealth or city, nor have any of those innumerable writers of politics observed any such union (*Elements*, XXVII.7, 167-8).

This generic resemblance surfaces also in *De Cive*, V.10, 73: 'Although every *commonwealth* is a *civil person*, not every *civil person* (by converse) is a *commonwealth*'.

It is in *Leviathan*, however, where the similarities between the union of a minor corporation and the union of the commonwealth are better expounded. Following Hobbes's lead in chapter XXII, corporations are subsystems contained in a greater and absolute system, the State. Both of these forms of association exceed the natural concord or affinity between a bunch of individuals because they are collective persons. A commonwealth 'is a reall unitie of them all in one and the same person' (*Leviathan*, XVII.13, 260),[17] a personation 'by fiction' (*Leviathan*, XVI.9, 246), that bonds each member with each other. In other words, every subject recognizes him or herself as members of a unified group to the extent that they think themselves as pertaining to an overarching 'person of them all' (*Leviathan*,

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and Fictional Entities', 3, specifies that *fictio* in Roman civil law was 'in its proper sense a process or an act, not the result or product of a process or act; the earliest texts which link *fictio* directly to the discussions of fictional entities date, as far as I know, from the 1650's'. According to Tuck, 'Hobbes and Democracy', 173: 'This is the plainest declaration of where his own originality lay that is to be found in either the *Elements* […] or *De Cive*, and it shows that this distinction was seen by Hobbes as central to his whole political enterprise'.

[17] On this subject, Brett, 'Natural Right and the Civil Community', 50, argues: 'The *real* unity of the Hobbesian city in one person personated by the sovereign surpasses the *unity* of the classical republic, based on a *concordia ordinum*, to create a new body, a true 'one'. We need to take Hobbes seriously… when he talks of the *reality* of the resultant unity'.

XVIII.1, 264). In the same sense, members of a subordinate system unite in 'the person of the body' (*Leviathan*, XXII.11, 354).

Yet, how is it that an aggregate of individuals (be it a State or a subsystem) becomes a person by fiction? The key to understanding the genesis of a corporation lies in the concept of representation, which takes us to Hobbes's *cri de guerre* in chapter XVI of *Leviathan*: 'it is the *unity* of the representer, not the *unity* of the represented, that makes the person one. And it is the representer that bears the person, and but one person: and unity cannot otherwise be understood in multitude' (*Leviathan*, XVI.13, 248). The only way of joining a multitude, which 'naturally is not *One*, but *Many*' (*Leviathan*, XVI.14, 250), is by personation, and this unity-founding mechanism depends on the cohesive intervention of a representative, a sort of animation he or she perform as 'the artificial soul… giving life and motion to the whole body' (*Leviathan*, Introduction, 16).

Just as the person of the State is performatively constituted by the free or coerced accord of dispersed individuals to be represented by some individual or assembly, so is the person of a minor corporation conformed. This is due to the fact that States, families, gangs, cities, companies, corporations of beggars, etc., are all of them '*regular* bodies'. As Hobbes explains in chapter XXII of *Leviathan*, regularity is the criterion that divides systems constituted by representation from systems that lack of representatives and amount to 'concourse of people' (*Leviathan*, XXII.4, 348). In Hobbes's terms:

> *Regular* are those where one man, or assembly of men, is constituted representative of the whole number. All other are *irregular*. Of Regular, some are *absolute* and *independent*, subject to none but their own representative: such are only Commonwealths… Others are dependent, that is to say, subordinate to some sovereign power… (*Leviathan*, XXII.1-2, 348).

States and minor corporations share the same ontogenetic traits because they are both constituted as one person in virtue of having a representative that can speak and act for the group.[18]

At any rate, our impression that corporations resemble the State in its core structure is reinforced by other remarks, such as Hobbes's denomination of the former as 'lesser Commonwealths' (*Leviathan*, XXIX.21, 516). Also, as we have seen earlier on, families could be conceived of as proto-states: 'a great family, if it be not part of some Commonwealth, is of itself, as to the rights of sovereignty, a little monarchy' (*Leviathan*, XX.15, 314).

Also meaningful to our thesis is Hobbes's earlier equation of States and factions: 'By FACTION I mean a multitude of citizens united, either by agreements with each other or by the power of one man, without authority from the holder or holders of sovereign power. *A faction is like a Commonwealth within the Commonwealth*; for just as a Commonwealth comes into being by men's union in a natural state, so a faction comes into being by a new union of citizens' (*De Cive*, XIII.13, 149, our emphasis). If a leader of a faction aspires to occupy the sovereign's seat, he must replicate on a smaller scale the structure of the State. Thus, the logic of its constitution and government must resemble those of the sovereign power. In Hobbes's terms: 'This sort of effort and hard work, which is used to fashion [*ad faciendum*] a people, is usually called faction [*factio*]' (*De Cive*, X.12, 124). The intended pun between *factio* and *facio* in its double acceptation of creating and feigning underscores the fact that, while the faction makes a pretense of acting as the State, it simultaneously creates a State-like corporation.

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[18] *Pace* Simendic, 'Hobbes and Coke on Corporations', 26, who concludes that '[a] corporation is not a *genus proximum* of the state'.

Something comparable happens with the 'confederacy of deceivers' (*Leviathan*, XLIV.1, 956), to wit, the Churches that dispute the absoluteness of the sovereign power in what they call 'spiritual' matters. If citizens 'see double and mistake their lawful sovereign' it is because of the similarities between the office of the chief pastor of the Church and that of the 'governor both of State and of the religion' (*Leviathan*, XXXIX.5, 734). In order to confound the subjects of the Commonwealth, religious promoters of civil war mirror the main functions of the State by 'set[ting] up a supremacy [of the Church] against the sovereignty; canons against laws; and ghostly authority against the civil (*Leviathan*, XXIX.15, 510). Moreover, '[t]he doctors of the Church are called pastors, so are civil sovereigns' (*Leviathan*, XXXIX.5, 734).[19] Both offices dangerously overlap. Therefore, when subordination of one to another is not clear, it means that conflict is around the corner. Citizens experience an anguishing fracture *in pectore*, a '*faction*… in every Christian own breast, between the *Christian* and the *man*' (*Leviathan*, XXXIX.5, 734).

Even Piracy could be readily defined as a corporate based activity amongst others. For that matter, Hobbes clarifies in *De Cive*, XIII.14, 150, that '*military activity* [*militia*] was once regarded as a gainful occupation under the name of *piracy* [*listricae*] or *raiding* [*praedatoriae*]… For raiding is simply making war with small forces'. It would not be a stretch to argue that the implicit term of the analogy here is the kind of warfare waged with large forces, namely, state warfare. Since piracy is state war writ small, Hobbes is acknowledging, in an Augustinian fashion, the resemblance that bands of pirates bear to states.[20]

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[19] Springborg, 'Hobbes on Religion', 359, contends that the way Hobbes explains the institutional shape of the Church is through the 'reemployment… of the concept of *persona* to produce the notion of an ecclesiastical legislative body, the king-in-church, parallel with the secular king-in-parliament'.
[20] *Cf.* Hayes, 'Pirates, Privateers and the Contract Theories', 462: 'By making mutual agreements to form a company, therefore, pirates as a body could be seen as raising themselves out of the state of nature to found their own miniature state, one that was as legitimate as any other state founded on consent… The difficulty in separating buccaneers from the state was partly due to an internal

3. The rebellious franchises: a case of contradictions

But, why do these similarities deserve our attention? The main problem at issue here is that the concession principle and the isomorphism thesis do not get along well. To state it more clearly, the alleged asymmetry between the absolute and independent system and its dependent systems, collides inevitably with the essential isomorphism attached to all groups. The first to detect this paradox was George Lawson, who argued that Hobbes's definition of a Commonwealth

> may agree unto the head or captain of a sedition or rebellion, or a company of thieves or robbers by land, or pirates by sea; nay but that he speaks of a society or multitude of men, it exactly agrees unto *Belzebub* the prince of devils. In a word, it agrees upon any unlawful multitude united to do evil (*An Examination*, 18).[21]

Even though the authority exercised by a leader of a gang of thieves, of a faction or of a defense league, is definitely not the result of the direct or indirect authorization of the State, their representativity is undeniable. This concurs, as it happens, with the literal definition of an illegal corporate body: 'private bodies regular, but unlawful, are those that unite themselves into one person representative without any public authority at all' (*Leviathan*, XXII.27, 368). Hence, it becomes evident that representation and, consequently, the groups' unity, are conformed independent of the sovereign power. All these cases show that the moment of concession is subsequent to the representation moment: the sovereign

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recruitment and organizational structure that fitted the abstract descriptions of a state founded on a contract'.

[21] He is not alone in this assessment. See Gierke, *Natural Law and the Theory of Society*, 80; Podlech, 'Repräsentation', 515; Runciman, *Pluralism and the Personality of the State*, 27; Boyd, 'Thomas Hobbes and the Perils of Pluralism', 394-5; Brito Vieira, *The Elements of Representation in Hobbes*, 154; Martell, 'Hobbes on the Simulation of Collective Agency', 41; and Turner, *The Corporate* Commonwealth, 16.

may allow or prohibit a group, but he or she cannot erase its regularity, *i.e.*, its already conformed representative structure. In short, the downward legitimation is disrupted by this immanent and upward energy of group personification. That is also why, in chapter XXII of *Leviathan*, the set of regular groups exceeds the set of legal groups.

A further problem may leap off the page if we contemplate the fact that distinctions outlined by the concession criterion tend to loosen considerably over time, allowing gradations and, above all, transgressions. For instance, families, churches, or merchant's societies may degenerate progressively into factions, dissident sects, or gangs of thieves or pirates, and thus be labelled as illegal, if they 'entertain more servants than the government of [their] estate… requires' or if they 'savour of unlawfull designe' (*Leviathan*, XXII.29-30, 370-2). Conversely, a defense league or a faction may acquire complete legitimacy if they are successful in their pursuit for power.[22] The factious acts of the recent victors can be always justified *ex post*. Moreover, these fluctuations in the pigeonholing resulting from the concession principle apply also to systems which are legal by default, *viz.*, public bodies or ministries. Military high commanders, particularly, have a wide known predilection for rebellious deviations. In this respect, Hobbes mentions the example of Julius Caesar: 'an army is of so great force and multitude that it may easily made believe they are the people. By this means it was that Julius Caesar, who was set up by the people against the Senate, having won himself the affections of his army, made himself master, both of Senate and people. And this proceeding of popular and ambitious men is plain rebellion' (*Leviathan*, XXIX.20, 516). The fact

[22] See Grotius in *The Rights of War and Peace*, III.3.3, 1251: 'Sometimes there happens a change [*mutatio*], not only in particular persons… who from captains of thieves, became lawful commanders; but also in companies, as when a company of robbers leaving their wicked practices, and following an honest course of life, become a civil society'.

that the army is a legal corporation or that its superiors were commissioned by the sovereign does not stop them from insurrecting against that same authority.

Succinctly, it is isomorphism *per se* what generates instability, and this is what individualist readings tend to overlook. Corporate representatives consider their offices very similar to the one the sovereign occupies and, feeling up to the task, tend to 'think themselves wiser and abler to govern the Publique… and thereby bring it into distraction and civil war' (*Leviathan*, XVII.9, 258). 'Why should I refrain myself from disputing the State's representative position –a leader of a faction might think– if my own resembles it so fundamentally?' In Hobbes's terms: 'From this equality of ability, arises equality of hope in the attaining of our ends' (*Leviathan*, XIII.3, 190). In like manner, after referring to corporations as intestinal parasites, Hobbes attaches a condemnation towards 'the liberty of disputing against absolute power, by *pretenders* of political prudence' (*Leviathan*, XXIX.21, 516, our emphasis). With its two meanings, the one of aspirant or claimer, and the other of imitator, the term *pretender* captures brilliantly the double nature of an insubordinate corporate leader, as an aspirant for political power and as a forger of the corporation he intends to subject.[23]

In addition, we should bear in mind that what turned the aboriginal wars in America *perpetual* was 'the *equality* of the contestants'. These equivalent contenders were enlarged familial gangs, that is, corporations, and not individuals. From this viewpoint, the real threat to public stability are the corporate leaders that consider themselves equally allowed to hold the position of the sovereign. After all, equality among human beings is not a natural *datum*, but a result of their ability to incorporate in a group: 'For as to the strength of body, the weakest has strength enough to kill the strongest, either by secret machination or by confederacy with

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[23] Jakonen, 'Thomas Hobbes on fear, mimesis, *aisthesis* and politics', 168-9, has also identified the particularly dangerous consequences of the imitation of the sovereign.

others' (*Leviathan*, XIII.1, 188). If we need equality to explain conflict, we then need corporations to explain equality.[24]

To sum up, although some interpreters detected the contradiction between the concession principle and the isomorphism thesis, none of them have offered a solution to this paradox. Henceforth, a relevant question remains unresolved: if Hobbes is so concerned about rebellious groups, why would he commit himself with the isomorphism thesis that promotes dangerous hopes?

4. Towards a theory of responsibility

A plausible proposition to sort out this difficulty could be to invoke reasons of empirical consistency. Certainly, Hobbes's political philosophy would have been better off without groups. Had he evicted the illegal bodies from the Commonwealth, political dissension would be less preoccupying. But, as we have elaborated, these groups are constitutive *parts* of the State. As a result, Hobbes could be conceived of as a corporate thinker *malgré lui*. His attention to corporations would simply arise for the sake of keeping a correlation with the real world of politics populated by all sorts of collective agents.[25] In correspondence, the worthiness of Hobbes's exposition would shrink to a simple deixis, to wit, the ostensive indication of a problem without any prospect of solution.

But, whereas it is true that the sovereign would be alerted to the danger of groups that replicate the State's traits, the chieftains of factions and seditious leagues

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[24] On this matter, see Herbert, *The Unity of Scientific and Moral Wisdom*, 136-7, and Hoekstra, *The Savage, the Citizen, and the* Foole, 26.

[25] This is Boyd's position in 'Hobbes and the perils', 395: 'the inevitability of conflicts between the group and the sovereign power… bears exploration for it serves to reinforce the distinction between the empirical world Hobbes appreciates and the philosophical world he recommends'.

would simultaneously see their pretenses theoretically acquiesced: their corporations are truly similar to the one leaded by the sovereign.

Our reading has a different input in this respect. We believe that with his isomorphism thesis Hobbes wins more than he loses, because he succeeds in conforming a notion of political accountability anchored in representation. Structural similarity is not something that Hobbes grudgingly condescends to. Instead, it is a deliberate aspect of his conceptualization of groups *intra muros*. To rephrase it, by extending the regular structure to dependent corporations, Hobbes is looking for a way of attributing responsibility for the actions and words of those groups to significant political agents, that is, to their representatives. Thus, he intends to order political conflict as a battle of regular systems, *i.e.*, as a struggle between fictitious persons held *always* by accountable agents. Wherever there is a representative (or an assembly of representatives), there is someone who can and must own up the actions done in name of a group.

In effect, Hobbes is cautious to introduce an important caveat on representation: 'actors, representers, or procurators… have authority… *so far forth as is in their commission, but no further*' (*Leviathan*, XVI.5, 246, our emphasis). The risk of overreaching appears to be constitutive of the office of a sub-state representative.[26] In the same chapter, he insists: 'when they [the represented] limit him [the representative] in what, and how far he shall represent them, none of them owneth more than they gave him commission to act' (*Leviathan*, XVI.14, 250). Likewise, 'if the representative be one man, whatsoever he does in the person of the body which is not warranted in his letters, nor by the laws, is his own act, and not the act of the body' (*Leviathan*, XXII.8, 352). Hence, if a representative incurs in an infringement of the law acting on behalf of the association, he or she alone must

[26] As Condren, *Argument and Authority*, 48, asserts, early modern England was 'a world… defined by almost systematic office-abuse'.

take responsibility for it. At the same time, Hobbes admonishes common citizens 'not to be led with admiration of the virtue of any of their fellow-subjects', nor 'by the flattery of popular men to be seduced from their loyalty', since 'in their particular stations *they* [the popular men] *represent*… the sovereign onely' (*Leviathan*, XXX.8, 526).

On the whole, this conforms a schema of accountability according to which the buck always stops with the unruly representative and the group members are relegated to a passive role. To be more precise, the followers 'suffer themselves to bee led by some strange prince… that can bewitch them, by slaunder of the government, into rebellion' (*Leviathan*, XXXVI.19, 680).

Although not articulated on the basis of the concept of representation, this view can be traced back to *Elements* and *De Cive*. As for the *Elements*, Hobbes claims that in 'the making of one body of rebellion… a head [is] the unity, by which they are directed to one and the same action' (*Elements*, XXVII.11, 169), and highlights the function of 'the authors of rebellion, that is, the men that breed these dispositions to rebel in others' (*Elements*, XXVII.12, 169). In *De Cive*'s terminology, when the sovereign power faces a 'citizen rebellion [*ubi cives tumultuantur*]', it 'must examine [*consideranda*]… who are those that agitate [*sollicitant*], assemble, and direct' (*De Cive*, XII.1, 131, modified translation). Some paragraphs below, our author specifies the elements by which a potentially seditious group might entertain a 'hope of winning': 'Four things are indispensable to this hope: numbers, tools, mutual trust, and leaders [*duces*]…none of these things [*i.e.*, the first three] has value without union under a leader' (*De Cive*, XII.11, 138-9).

In sum, Hobbes admits the mentioned homology between systems, even at risk of encouraging their auto-perception of being 'lesser Commonwealths', because he wants to confine political conflict to a *regular* morphology, namely, to an antagonism between representatives who speak and act in the name of their

groups. Otherwise stated, the culprit of a transgression done in the name of a group will not be the collective person of the group, but its representative.

This strategy has a two-fold aim. On the one side, the link between political responsibility and the group's representative evinces what has been branded as Hobbes's compassionate elitism.[27] In cases of great civil disturbances the ones who, without fail, bear the brunt of the consequences are the gullible masses. For that reason, Hobbes thinks, we should at all times focus on the leaders of those events, and not on their undiscerning acolytes: 'The punishment of the leaders and teachers in a commotion; not the poor seduced people, when they are punished, can profit the Commonwealth by their example' (*Leviathan*, XXX.23, 544).[28]

In parallel, Hobbes's theory of representation allows us to construe the words and actions of a representative as the words and actions of the fictitious person of the group. Should we correspondingly assume that the same applies when the representative incurs in a criminal act? This is where Hobbes's accountability caveat comes into play: it would be highly inconvenient for public stability to presume that the whole body of a corporation was an accomplice to the crime, since that would entail leaving each member of the group in a condition of potential enmity with the State. As Hobbes expounds in *Behemoth*, if the practice of excommunication may teach us a lesson, it is precisely the fact that '…when a Pope excommunicates a whole nation, me thinks he rather excommunicates himself than them' (*Behemoth*, 114). To indict a fictitious person (a nation, a city, or any other corporation) implies to alienate an important fragment, literally a 'part', of the society from the State. In this scenario, the individuals that take part in the corporation '…would be in the same case as if a nation should be cast off by their

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[27] *Cf*. Baumgold, *Hobbes's Political Theory*, 2-3, 120 and 124; and Kateb, 'Hobbes and the Irrationality of Politics', 387-8.

[28] Similar contentions appear in the *Dialogue*, 22, and *Behemoth*, 136, 158-9, 172, 183, and 189.

king and left to be governed by themselves, or whom they would' (*Behemoth*, 114). The dangers of an entire corporate group's segmentation are ostensible. It is worth noticing that both private and public systems are susceptible to be carried by their representatives towards rebellion. As we have reviewed before, political defiance may emerge from 'private families', when 'a private man entertain more servants' than needed and seeks 'the defence of private force' (*Leviathan*, XXII.31, 372). But it may result, as well, from the ambition of a charismatic delegate of the sovereign, such as Caesar's 'plain rebellion' (*Leviathan*, XXIX.20, 516) or the insubordination of 'the government of a province or colony' (*Leviathan*, XXII.16, 360).

There is, however, a deeper reason for maintaining the accountability caveat. Hobbes believes that without representation, there is no *imputability*.[29] Indeed, it is factually impossible to punish the person by fiction of the corporation, 'for from corporal penalties nature has exempted all bodies politique' (*Leviathan*, XXII.10, 352).[30] This sort of corporate immunity had already been ascertained by the medieval jurists known as post-glossators and it is possible that he drew his argument from their conclusions.[31] Since we cannot really penalize a corporate person, we should look for its accountable representatives:

> if the representative be an assembly, whatsoever that assembly shall decree, not warranted by their letters, or the laws, is the act of the assembly, or the body politique, and the act of everyone by whose vote the decree was made,

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[29] *Pace* Pitkin, *The Concept of Representation*, 20, who associates Hobbes authorization theory with unaccountable representatives: 'Hobbes's definition places all the rights at the representative's disposal and all the burdens on the represented'.
[30] In Bartolus de Saxoferratus' terms, 'In Primam Digesti Novi Partem Commentaria', 561: 'corporations cannot be decapitated because they do not have an actual head, but a fictitious one'.
[31] As Gierke, *Das Deutsche Genossenschaftsrecht*, 402, asserts: 'the question most enthusiastically discussed in [medieval] law of corporations was their role regarding crime'. The persistence of this issue in early modern political philosophy can be attested by Jean Bodin's *The Six Books of the Common-Weale*, 373, lengthy discussion of the ways in which corporations 'are to be corrected and punished when they shall offend'.

> but not the act of any man that being present voted to the contrary (*Leviathan*, XXII.10, 352).

Even in the case of a representative assembly, the sovereign power should distinguish between indictable and unindictable representatives. It is true that Hobbes seems to ascribe responsibility to the whole group ('the assembly may be punished as far forth as it is capable, as by dissolution or forfeiture of its letters… or… by pecuniary mulct'), but immediately after he adds: 'the assembly cannot represent any man in things unwarranted by their letters' (*Leviathan*, XXII.10, 352).

Contrary to what some scholars believe, this thread in Hobbes's argumentation is not intended to convey that corporations lack of an effective personality and, thus, that our attention should be directed to the individual members of the group.[32] Quite the opposite, Hobbes acknowledges the enormous and distortive gravitation that fictive, but real, persons have in a political society.[33] Especially, when they acquire autonomy and seem to speak and act without the intervention of any representative. If he maintains a notion of *imputability* based on corporal punishment of the representatives, it is because he fears the chaos that results from the irregular manifestation of political conflict, that is, the tumults in which nobody can be held accountable for the acts of the groups involved.

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[32] Gierke, *Natural Law*, 84, argues that 'these deductions… are based upon an extremely individualistic point of view. Every form of group personality is dissolved into representing and represented individuals'. Likewise, List and Pettit, *Group Agency*, 76, suggest: 'Hobbes only offers us a thin, rather redundant realism that allows easy translation from talk of group agents into talk of individual agents'. Also, Martell, 'Hobbes on the Simulation', 47: 'There are no collective agents, but collective agency may on occasion be simulated by authorized representation of group action together with subsequent actions of individual members of the group'.

[33] The capacity that corporations as fictitious persons have of producing effects in the real world has been underscored by Runciman, 'What Kind of Person is Hobbes's State?', 276, and Turner, *The Corporate Commonwealth*, 214.

5. Irregularity as unaccountability

As stated by Hobbes, '[i]rregular systems [are] in their nature but leagues or sometimes mere concourse of people without union to any particular design, by obligation of one to another, but proceeding only from a similitude of wills and inclinations' (*Leviathan*, XXII.28, 370). These types of agglomerations comprise not only absence of representatives, but also a component of uncertainty, because they 'become lawful or unlawful according to the lawfulness or unlawfulness of every particular man's design therein' (*Leviathan*, XXII.28, 370). It goes without saying that to determine the intention of each member of a crowd is impracticable.

In like manner, it is impossible to activate the *shibboleth* that distinguishes between imputable and unimputable agents of a political event. And that was what hurt Hobbes the most with respect to his 'noble and honored friend Mr. Sidney Godolphin, who hating no man, nor hated of any, was unfortunately slain in the beginning of the late civil war, in a public quarrel, *by an undiscerned, and an undiscerning hand*' (*Leviathan*, R&C, 1133, our emphasis). If Hobbes endeavored a project such as *Behemoth*, it is because he intended to uncover the responsible agents that contributed to these horrific acts and hid behind the cloak of the irregular crowds. Not surprisingly, the initial problematization of this work is: 'how came the people to be so corrupted? And what kind of men were those that could so seduced them?' (*Behemoth*, 108). Even in the worst cases of chaos there are veiled agitators who can be identified. Facing this picture, Hobbes balefully admonishes: 'of them that are *the first movers* in the disturbances of the Commonwealth (which can never happen without a civil war) very few are left alive long enough, to see their new designs established… which argues that they were not so wise, as they thought they were' (*Leviathan*, XXVII.16, 462, our emphasis). As sorcerer's apprentices, promoters of rebellion usually have difficulties in coping with 'the rage of the whole multitude' they conjure. 'For they will clamour, fight against, and destroy those, by whom all their life time before,

they have been protected, and secured from injury' (*Leviathan*, VIII.21, 112). This description is not incidental at all. In his *Answer to Gondibert*, 56, Hobbes attacks religious leaders who encourage revolt in the same vein:

> [I]n the use of the spiritual calling of divines, there is danger sometimes to be feared, from want of skill, such as is reported of unskilled conjurers, that[…] call up such spirits as they cannot at their pleasure allay again… instead of *truth*, they raise *discord*[…] instead of *reformation*, *tumult*.

Because public conflicts are saturated with cases of cloaked and shunned responsibility, Hobbes recommends that, when we encounter a multitude, we should pick a representative or, at least, a messenger, to whom we can attribute the burden of the acts of the whole group: 'It may be lawful for a thousand men to join in a petition to be delivered to a judge or magistrate; yet if a thousand men come to present it, it is a tumultuous assembly, because *there needs but one or two for that purpose*' (*Leviathan*, XXII.33, 374, our emphasis). That is to say, state officers cannot allow a dispute to develop in the anarchic logic of a disordered crowd. On the contrary, every claim must be affixed to some identifiable representative, due to the fact that 'the heap or multitude cannot be said to demand or have a right to anything' (*Elements*, XXI.11, 124). These supposedly self-generated tumults converging by chance on a specific claim are never as spontaneous as one may think.[34] The English civil wars, again, present numerous examples of this duplicity: 'Th[e] method of bringing petitions in tumultuary manner, by great multitudes of clamorous people, was ordinary with the House of Commons, whose ambition could never have been served by way of prayer and request, without extraordinary terror' (*Behemoth*, p. 234). On the face of it, demonstrations might seem produced

[34] This may provide an answer to Copp's contention in 'Hobbes on artificial persons', 605: 'Hobbes lacks an argument adequate to show that it is not possible for a multitude to act, and himself seems ambivalent about the matter'.

by a mysterious *acclamatio* of the people, but in a closer look we discover its actual instigators: the leaders of the Parliament.[35]

Besides, Hobbes offers a further tool to prevent irregular uprisings. In order to link rebellious groups to accountable leaders, sovereigns should 'ask… *Cui bono*?' (*Leviathan*, XLVII.1, 1104), that is to say, to whom is it a benefit? 'By [this] rule I intend in this place to examine who they may be that have possessed the people… with these doctrines contrary to the peaceable societies of mankind' (*Leviathan*, XLVII.1, 1104). Briefly stated, instigators of a rebellion should be considered as representatives of the seditious group in an attempt of imputing the actions of the collective to them.

Hobbes's condition of regularity is mainly intended to serve as a criterion of political responsibility. In this respect, his purpose is to prevent the occurrence of apparent tumultuary phenomena, behind which corporate representatives of highly organized factions hide. With his accountability proviso, Hobbes does not expect to banish conflict away, but to establish some order in the terrain of disorder.

6. Conclusion

Overall, our aim has been to explore why corporations are important to understand Hobbes's account of rebellion. Strictly speaking, we proposed to focus on the structure of these groups: they all share the same morphology, that of

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[35] This was precisely John Pym's tactic against Charles I. *Cf.* Braddick, *God's fury. England's fire*, 179: 'There is evidence of co-ordination between Pym's circle and the Scots prior to the invasion of 1640, and of Pym's connection with the incitement and countenancing of tumults'. Hill, *The World Turned Upside Down*, 22, had already underlined Parliamentarian orchestration of tumults: 'when the Long Parliament found itself faced by a king who refused to surrender to their demands, they were forced to look for support outside the charmed circle of the ruling class. In London crowds of demonstrators used 'to flock unto Westminster' in moments of crisis.'

regular systems constituted around a representative (be it an individual or an assembly). Given this similarity, most corporate representatives feel equally allowed to aspire to the sovereign seat. This tends both to perpetuate conflict when nobody holds absolute power, and to promote sedition against a fully formed State's authority. By all means, the sovereign should take advantage of his or her exceptionality as leading figure of the most powerful corporation. No wonder the emblem of *Leviathan* refers to the incommensurability of his or her power: *non est potestas super terram quae comparetur ei*. But the structural homogeneity that lurks beneath this baroque asymmetry will sooner or later emerge. Corporations exist and, like worms in the entrails of the Commonwealth, they will inexorably try to rebel against it. As a response to this issue, Hobbes seeks to create the conditions in which all seditious groups can be conceived as regular, *scil.*, as possessing a representative who speaks and acts for the collective, and above all who can be held responsible for those words and actions. Therefore, the kernel of Hobbes's corporatist theory is a concern with accountability. Behemoth's real physiognomy unveils when the masses wreak havoc in irregular ways. If there are no imputable agents for political defiance, the power of the sovereign is doomed.

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