**MAKING UP AND MAKING REAL[[1]](#footnote-1)**

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**Abstract**

In recent years, the role of fiction in Hobbes’s system of philosophy has come under growing pressure. This paper argues against this trend by demonstrating that Hobbes employs fiction in a more consistent and more fundamental way than has been previously recognized. In particular, the paper argues that Hobbes uses fiction to refer to both a peculiar set of mental operations and the “things” they originate, and that he attributes fiction, as process and as product, key cognitive and world-making functions. Chief amongst the latter is the enactment of the people as a representational fiction, through the creation of an intersubjectively shared imaginary, encouraging individuals to identify with a collective whose unified will the state – and it only – expresses and enacts.

**Keywords:** Fiction, Imagination, Representation, Person, State

There has been a longstanding debate over the role of fiction in Hobbes’s system of philosophy.[[2]](#footnote-2) In recent years this role has come under growing pressure. This is most clearly reflected in various attempts to dismiss the characterization of Hobbes’s state as a person by fiction or even as a person at all.[[3]](#footnote-3) But it also shows itself, in a subtler form, in the assumption of an unbridgeable separation between the different uses Hobbes makes of fiction in his work.[[4]](#footnote-4) This paper pushes against this trend.[[5]](#footnote-5) It demonstrates that Hobbes employs fiction in a more consistent and more fundamental way than has been generally recognized. In particular, the paper argues that Hobbes uses fiction to refer to both a peculiar set of mental operations and the “things” they originate, and that he attributes fiction, as process and as product, key cognitive and world-making functions. Chief amongst the latter is the enactment of the people as a representational fiction, through the creation of an intersubjectively shared imaginary, encouraging individuals to identify with a collective whose unified will the state – and it only – expresses and enacts.

The article proceeds as follows. I start with a discussion of “fiction” and the mental operations it implies, by laying out the fundamental distinction between simple and compound, reproductive and productive, imagination. I turn then to three distinct functions fiction can perform – entertaining, cognitive and world-making – exploring the particular mental operation, “supposing”, which underpins them. Equipped with this, I proceed to a discussion of legal fictions, namely the fiction of the personality of collective entities, making something non-existing thinkable and real *in* and *by* the law. Not all corporate fictions are equally acceptable for Hobbes, however, and in the next section I show him rejecting seditious corporate fictions in favor of his own representational fiction of the state, which must be built out the natural person as self-representer and her capacity to imaginatively treat x *as if* it were y . Next, I explore how radical, and not simply productive imagination, is necessary for making the state, where “making” refers to bringing it into being by making it available to the mind in ways that make it possible for us to think differently about our identity and commitments, and to engage in the practices that might keep a newly shared imaginary – the representative popular state – alive. I conclude with a discussion of the person of the state as necessary coordinating fiction.

**Fiction: Reproductive and Productive**

A fiction is a mandate that something be imagined. It is no surprise therefore that the term “fiction” should make its first appearance in Hobbes’s discussion of the imagination. Hobbes saw humans as animals endowed with two distinct imaginative powers, to register and to shape up. These constitute the basis for Hobbes’s well-known distinction between simple and compound imagination. Simple imagination consists in the imagining of the whole object as presented to the senses. By contrast, compound imagination results from a series of mental operations performed on the original sense perceptions – namely, uniting and separating what appears separated and united in nature, respectively.

The distinction between simple and compound imagination hints at two possible uses of the faculty of imagining: passive and active, reproductive and productive. Simple imagination is reproductive in that it involves making present to the mind an “image” of something previously experienced. Compound imagination is productive in that it makes present to the mind something never experienced before.[[6]](#footnote-6) This means that through the imagination man is capable not only of *re*-presenting simple images by bringing them into consciousness from memory, but also of making things up, in ways that result in the constitution of new fictional entities with no real-world correspondent, yet deeply affecting our experience of the real.[[7]](#footnote-7)

Structurally speaking, all fiction consists in a likening: in the thinking or treating of x as if it were y (even though x is not y). This is true of both simple and compound images, which means that they are both constitutive of what one might call ‘fictional worlds’.[[8]](#footnote-8) But their two worlds are of a very different type. In the case of simple images, they envelop us in a fictional world insofar as they produce an illusion of likeness with what they are supposed to represent, i.e., the external objects acting upon our sense organs. This illusory effect is a function of the ‘great deception of sense’, by which Hobbes means that such imagined forms are produced by reactive motion within us, which, because outwards, seems to be some real existing thing without.[[9]](#footnote-9) The sensory apparatus produces “fictions”, deceptive surfaces cutting us off from the real nature of the world without, naturally and necessarily, given the mechanical nature of this apparatus. No agency is involved in their making: we suffer them. But fictions can be manmade too, as is the case with compound images. And it is important to note at this point that Hobbes reserves the term “fiction” to refer to this form of imagination, which implies a specific type of mental operation. Compound imagination consists in a composition from things previously sensed (and/or indeed imagined). They are created by the imagination through its capacity to combine disparate “images” and to represent something *as* something: e.g., a mountain *as* golden, a castle *as* floating, oneself *as* an eminent historical character, real or fictional, such as Alexander or Hercules. They add new layers to our world, and Hobbes is keen to stress how with compound images it is not only – or even necessarily – their identification with something real outside, but their *very* existence, that is fictitious.

The materials compound imagination uses come from some experience (man + horse), but its products are fictive “images” of entities never experienced (= centaur), with no correlate in nature. Compound imagination adds worlds to the world by creatively positing entities escaping the confines of reality as given.[[10]](#footnote-10) Through it reality can be deceptively conferred upon a purely imagined form (as when I am made to believe in spirits); or their fictitiousness can be kept overt, even if it is simultaneously used to produce a reality effect (as in a theater where an actor comes before the audience *as* Alexander, but theatrical conventions give the audience cues as not to take it *for* Alexander). In either case, however, opposition to actual reality is a characteristic of fiction, and this is something Hobbes signals through the repeated use of the adverb “but”, meaning “merely” or “no more than” in conjunction with fiction.

Yet this does not mean that, for Hobbes, imagination is opposed to reality, the made up cannot be made real, and reality cannot be conferred to things by means of a fiction. On the contrary, human reality is comprised of a web of imaginations, from the phantasms making our experience of the real possible to the social imaginary men must intersubjectively share to constitute their collective political reality. This is because productive imagination is constitutive: it comes associated with the power of figuring forth the non-existing and the never experienced, in ways that make it real for us.

This is clear from Hobbes’s philosophy of time. For Hobbes, all time is imaginary and only the present is strictly real. While the past has a being in memory only, the future is purely conjectural, and has no being at all: ‘[T]hings *to come* have no being at all’, so that the future is ‘but a fiction of the mind’.[[11]](#footnote-11) Yet, even though we cannot have a conception of the future, we can figure it forth – we make a future, from our conceptions of the past, by way of conjecture, namely by ‘applying the sequels of actions Past, to the actions that are Present’, and by regulating our behavior accordingly.[[12]](#footnote-12)

Human beings being what they are (futural beings, existing always ahead of themselves), and their condition being what it is (one of anxiety), the fiction of the future has a decisive hold on man, and confers formidable power on those claiming predictive power – the power to visualize and control what is not yet.[[13]](#footnote-13) Properly speaking fictions, including that of the future, belong in the domain of the made up, the artifacted, the invented. But in making the absent present they determine (and expand) our sense of what is real, thus powerfully orienting our behavior and actively engaging us in world-building. This is why Hobbes feels the urge to distinguish between good and bad fictions, according to the soundness of their philosophical grounding, their “admission” of their own fictive character, and their contribution to the desideratum of peace.

**Fictions: Entertaining, Cognitive, World-Making**

Fictions are of different types, and perform a range of different functions, from the entertaining, through the cognitive, to the world-making. Hobbes’s most common examples of compound imagination (centaurs, golden mountains, castles in the air) are cases of fantasizing or pretending, fictions of a primarily entertaining nature. Yet fiction can also take a more intellectual form, especially where construed as a specific mental operation, *supposing*. It is to this that I turn next.

Empirical reality is the first object of cognition in respect to which fiction can be used as an aid-to-thinking. Hobbes employs fiction in this role in the investigation and unmasking of the truth about the world of fiction created by the illusion of the senses. As a specific intellectual construct, fiction can help us understand the world by making claims about it which are in clear opposition to fact. These claims imply treating x *as if* it were y, even though *we know* x is not y or cannot be y. A case in point is the fiction of world annihilation, in which imagining occurs without imagery. This is the fiction employed by Hobbes to expose the reification of mental images as things real outside us, through their fictitious identification with the objects that produce them by interacting with our senses. If we suppose that the external world has been annihilated, this helps us realize that we would carry on thinking and holding conceptions of the world, regardless of the world’s disappearance. Such a realization throws into relief the gap between the world outside and the imagined forms through which we access it, a gap that is erased by the illusion created by the sensory apparatus, and by those who exploit it in inducing belief in purely imaginary entities, such as idols, spirits, ghosts, or, indeed, prophetical mysticism.

But empirical reality is not the only object of cognition. Psychological drives and jural entities are too. Fiction as a thought experiment can provide epistemic access to properties and patterns of nature as well as to properties and patterns of human interaction. An additional deployment of fiction for cognition can be found in the counterfactual nature of the imaginary case posited by the state of nature in chapter XIII of *Leviathan*. A similar suppositional fiction is at work there. But the counterfactual is now not the annihilation of the natural world, but the annihilation of the chief human arbitrary institution: the state. “Imagine a situation in which there would be no state, or supreme authority over men, what would be the human condition therein?” – is Hobbes’s question. Although informed by experience, including our everyday lived experience, and portrayed as approximating known states and as an ever-present possibility, the state of nature remains, at its core, a use of fiction as thought experiment, asking us to consider what motivations for action and rights of action we would have in the absence of a political world. An epistemic fiction, the state of nature is also – and indeed primarily – a performative fiction, designed not merely for purposes of cognition, but to motivate appropriate action towards the state. In conjuring the image of a counterfactual reality we are strongly adverse to, the state of nature delivers a potent fear-inducing image, bringing us to fear the absence of Leviathan, as the inevitable result of us disengaging from authorisation, perhaps even more than its presence.[[14]](#footnote-14) The lasting presence of the state is underpinned by this fiction.

The same performative quality can be found in the covenant. When introducing the wording of the covenant generating the commonwealth, Hobbes adopts an “as-if” structure, indicative of the suppositional structure of fiction: it is ‘as if every man should say to ever man, I Authorize and give up my Right of Governing my selfe, to this Man, or to this Assembly of men, on this condition, that thou give up thy Right to him, and Authorize all his Actions in like manner.’[[15]](#footnote-15) “As-if” signals three things here. First, that Hobbes is using the fiction of the covenant with a cognitive purpose: to make us comprehend not reality without us, but the norms (duties and rights) or the kind of commitment involved in making the state a reality. Second, the suppositional structure indicates the overt fictitiousness of the covenant, namely it shows that the covenant is not meant as a historically true story about how man took himself out of nature to enter the civil condition, but as an imagined form. Third, it implies that although not real, the covenant is not simply made up either: it is rather a performative fiction, actively engaging us in world-building.[[16]](#footnote-16) To explain, the covenant cannot be purely fictional insofar as sovereignty can only be sustained if a set of relationships of authorising and owing up is set in motion between subjects and sovereign and subjects themselves. This, I want to claim, presupposes an intersubjective sharing of imaginaries: it is only in believing themselves bounded to one another and the sovereign on the terms defined by the covenant that men will act on them; and it is only on the presupposition of a state powerful enough to bind the passions that the joint-enterprise of authorising is set in motion. Investing them in each other’s actions, and in each and every action of the state, such engagement is key to making the state - an imagined non-existing entity - real into the future.[[17]](#footnote-17)

As my discussion of the state of nature and of the covenant shows, fiction prescribes imagining, and imagining in response to fiction directs our behavior in powerful ways. Processes of imaging are powerful on account of their relation to passion. Informed by past experiences, and associated with affections and aversions, fictional images can shape the will and how we act in the world. Thus, Hobbes puts mental images at the beginning of all voluntary action. Passions are thoughts, which act as motives for action because they represent things as good or bad for the beholder. They always proceed from some opinion, imagination, or fiction. And, as Hobbes dramatically puts it in the *Elements of Law*, ‘not truth, but image, maketh passion’.[[18]](#footnote-18)

The power of the image to solicit passion grounds Hobbes’s concern with reaching deep into our imaginative processes in order to re-shape our opinions and re-orient our actions. His new science of politics is thus as much about determining the form of the commonwealth as it is about using a particular type of imaginative form – fiction – for figuring forth its non-existing form. This offers, *pace* Foisneau, a clear line of continuity between man’s capacity for fiction, as a specific set of mental operations, and his capacity to build up a state, as an entity by fiction endowed with a separate real existence.[[19]](#footnote-19)

**The Fiction of the Person**

To fully grasp this, we need to turn to Hobbes’s theory of representation as personation. Representation is itself a specific form of human fiction, implying a distinctive intellectual operation or mode of reasoning: imaginatively treating x *as if* it were y (even though x *is not* y) – as we see, for instance, in the theatre, where the audience suspends disbelief to “see” the actor as the character, Ralph Fiennes as Coriolanus, and his actions as its. As shown by Quentin Skinner, Hobbes’s discussion of representation as personation, or carrying the person/character of, bears an interesting resemblance with Quintilian’s discussion of the prosopopoeia, a term derived – as Hobbes himself reminds us in chapter XVI of *Leviathan* when referring to theatrical (self-)impersonation – from the Greek roots prósopon, “face” or “mask”, and poiéin, “to make”, and essentially meaning to confer a mask or a face.[[20]](#footnote-20) Prosopopoeia describes a rhetorical device representing an imaginary, absent, or dead person, character or object *as* speaking and acting, and thus realizing a natural impossibility.[[21]](#footnote-21) The form of representation implied therein is triadic – x representing y *as* z. It establishes a relationship that is suppositional and does not necessarily imply descriptive realism or verisimilitude (or indeed deceit). The figure of the proposopopoeia ‘only presupposes animation and this presupposition is inferred from a mock hypothesis’.[[22]](#footnote-22) Its powers are, nonetheless, remarkable, Quintilian suggestively deeming it capable of bringing ‘down the gods from heaven or raise the dead; cities and nations even acquire a voice’.[[23]](#footnote-23)

As a ‘mimesis of a natural impossibility’, the prosopopoeia ‘can be a sign of the fantastic or of the supernatural, or it can be a ludic or formal supposition’.[[24]](#footnote-24) Legal fictions belong to the latter type. They preoccupy themselves not with actual reality, but with human arbitrary institutions. They invite us to suppose something to be the case, to conduct an argument or action on the basis of an ‘as if’. As such, they introduce into legal reasoning a supposition which is known to be false – that is, contrary to the objective facts of the matter. But legal fictions, like the fictions Hobbes actively resorts to, are false not in the sense of asserting falsehood or trying to make things up for the purpose of misleading. It is rather the case that they deem something to be something else for the purpose of the common good (in law, equity, and justice).

Amongst legal fictions pride of place is reserved to the fiction of the personality of collective entities, whereby entities that are non-persons come to be treated as persons, so that they may be bearers of duties and rights and are given an actual existence in the world. Hobbes was clearly acquainted with the Roman notion of legal fiction and the role it played in medieval corporate law. The legal fiction of the corporation as person is explicitly mentioned already in the *Elements of Law*, and woven into, as well as reworked within, Hobbes’s theory of representation, as given in chapter XVI of *Leviathan*, to the purpose of affording the state a personality of its own, distinct from both subjects and sovereign.[[25]](#footnote-25)

It is thus worth recalling here briefly a few key steps in the fiction of corporate personality, which bring into sharp relief the centrality, within law, of artificial mental constructions that contradict reality to create a reality of their own within law.

The history of the person in imagination goes back to the 13th century, with the term “*persona repraesentata*” having been probably coined by the French jurist Johannes de Monciaco and the doctrine of the “*persona ficta*” disseminated by Pope Innocent IV. Medieval corporate law maintained that a community was not a real person but a represented one (*persona non vera sed repraesentata*), and thus a fiction of the juristic mind. Commentators such as Bartolus of Sassoferrato (1314-57) and his disciple, Baldus de Ubaldis (1327-1400), insisted that a corporation was a body ‘composed of a plurality of human beings and an abstract unitary entity perceptible only by the intellect and thus distinct from its human members.’[[26]](#footnote-26) Like the latter, the group of individuals could be represented by an abstract personality with a legal existence and real capacity to act.

Variously qualified as “fictive” (*ficta*), “imaginary” (*imaginata*), or “represented” (*representata*), the fictitious person of the corporation was found metaphysically suspect by nominalists like William of Ockham (c. 1280-1349): ‘what is only represented or imaginary is a fantasy’, claimed Ockham, ‘and does not exist in reality outside the mind’.[[27]](#footnote-27) For Ockham, fictitious persons existed entirely in the mind, and nowhere outside it. They were pure mental constructions – abstractions deprived of any capacity to be or act. They did nothing other than filling the law with falsehood. Bartolus objected to such literal mindedness. Nominalists were, of course, right if ‘we speak about reality properly’, but ‘according to legal fiction they err[ed]’.[[28]](#footnote-28) Utterances in the form of legal fictions are false (and self-consciously so) within normal linguistic systems (for they are patently not real “persons”, with a real-world correspondent, but abstractions giving form to material reality); yet they are not false within law, since corporations are there indeed *jural* persons, which the law invests with reality.[[29]](#footnote-29) In other words, corporations exist *in* and *by* the law, and therefore *in* and *by* a creative act of the state – the law being its utterance, which makes legal persons an actually existing thing possessed of legal rights and legal duties, with considerable social, if not political, significance. Bartolus’s reply to Ockham upends the presumptive opposition between the made up and the made real, and this is something Hobbes too would underscore.[[30]](#footnote-30)

The notion that a group of persons could be made real, or capable of acting, by way of fiction, was one that Hobbes embraces and self-avowedly borrows from developments in corporate law. In *The Elements of Law*, he boldly claims to have been the first to recognize that the commonwealth structurally resembles subordinate corporations: ‘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.’[[31]](#footnote-31) Hobbes then mobilizes the example of the corporation to demonstrate the difference between consent and union, or a group of individuals deciding to form an incorporated society as contrasted with the group they form as a result of their incorporation. Only the latter is a union, constructed upon the involvement ‘of many wills in one or more’, and forming a body politic.[[32]](#footnote-32)

The 18th century English lexicographer, Samuel Johnson, author of the *Dictionary of English Language* (1755), draws our attention to an important ambiguity at the heart of the concept of ‘fiction’: it can be made to refer either to an act, or mode of reasoning, namely, ‘the act of feigning or inventing’, or to the result of such reasoning, namely, the fictional entity, or ‘the thing feigned and invented’. Hobbes too goes on to use the language of fiction with reference to the product of the fictive act of having many covenanting wills “involved” *in* another’s will: the sovereign’s (by which Hobbes means, replaced *with*, but in ways sustain the illusion of the absent – subjects’ wills – being present). This product is the ‘body politic’ understood as ‘a fictitious body’.[[33]](#footnote-33) And just as Pope Innocent IV had used the notion of fictitious person, in the sense of a person as mere intellectual abstraction without body and soul, to protect corporations from responsibility, namely, from excommunication, on account of them being not real persons but juristic concepts, so does Hobbes use the fact that the body politic is a fictitious body with purely fictitious faculties of will and soul, to exclude its responsibility for injustice, in case of violation of natural or divine law: ‘For a body politic, as it is a fictitious body, so are the faculties of will thereof fictitious also. But to make a particular man unjust, which consisteth of a body and soul natural, there is required a natural and very will.’[[34]](#footnote-34) There could hardly be a bolder step in removing natural or supernatural obstacles in the way of a political fiction’s capacity to act and leave its imprint on the world.

**Corporate Fictions, Good and Bad**

Given the emphasis on legal personhood in his earlier works, we might have expected Hobbes to turn, to the law for his conception of person in *Leviathan*. But this, as we know, is not what happens. Whereas the Hobbes of the *Elements* was unhesitant in attributing the unified personality of corporations to the state, in *Leviathan* it is his distrust of any incorporated body that is *not* the commonwealth that comes to the fore. Corporations are now treated ‘like worms’ endangering the health and integrity of the commonwealth.[[35]](#footnote-35)

There is a reason for this. Authors like Henry Parker and William Prynne had come to conceive ‘the people’ as a *universitas*, or ‘politique corporation’, endowed with a ‘unified will and voice’, which could authorise another corporate person – parliament, to represent it.[[36]](#footnote-36) As Skinner rightly shows us, Hobbes’s shift comes thus in response to the parliamentarian use of corporatist thought to ground the superiority of parliament on a popular, pre-political ‘we’, a ‘we’ that Hobbes now aims to brings integrally within the field of representation.[[37]](#footnote-37)

But Hobbes is not throwing the baby with the water here. He is not simply leaving corporation theory behind, but rather effecting a radical transformation of corporation ontology, from, as Henry S. Turner, rightly puts it, ‘the mystical and the mimetic’ to the representational.[[38]](#footnote-38) To realize the nature and consequences of this shift – from what Hobbes would consider to be “bad”, conflict-inducing, fictions, to a good fiction, capable of sustaining a durable political structure – we need to take each ontology in turn.

The mystical ontology is grounded on theological ideas and sacred practices permeated by the insidious metonymical logic that Hobbes’s systematically refutes in *Leviathan*. This is most apparent in his critical examination of the ritual incorporation of communion and the problems of personhood involved in the conceptualization of the Trinity.[[39]](#footnote-39) Hence Hobbes’s attack on the Catholic doctrine of the real presence of Christ in the Eucharist, with its reliance on the Scholastic doctrine of separated essences, and on its purported operative cause, transubstantiation. For the Church, the sacrament of the Eucharist is the efficacious sign and the cause of the communion in the divine and the incorporation of the people of God into a unity. Hobbes undercuts this, by insisting that the literal interpretation of the words of institution needs casting aside, and that men are, instead, to understand that ‘the words, *This is my body*, are aequivalent to these, This *signifies*, or *represents my Body*; and it is an ordinary figure of Speech.’[[40]](#footnote-40) For as soon as the metonymic use of words is disclosed, it is apparent that the sign (the host) is the signified thing (the body) representationally (or symbolically) only (which implies replacement of one thing with another – body with host), and all that we are witnessing therefore is a change of words, not a change of substances. Also part of the mystical ontology of the corporation is the understanding of ‘person’ as ‘hypostasis’ or first, individual, or intelligent substance. Hobbes dismisses it in favor of his understanding of person as representation, or, more concretely, as theatrical artifact or a representer: ‘to *Personate*, is to *Ac*t, or *Represent* himselfe, or an other’.[[41]](#footnote-41) To speak of three hypostases in the Trinity (Father, Son, Holy Spirit) results, Hobbes claims, in absurdity: three divine persons – i.e. three (warring) gods, which would have in a mixed constitution (blending monarchic, aristocratic and democratic elements) its ruinous political counterpart. It is rather the case, he contends, that God is three persons on account of having been represented in different functions by three distinct earthly actors: Moses, Jesus and the Apostles. They all personated God, giving Him a presence in the temporal world. Hobbes does not hesitate in bearing out the polemical intent of his Trinitarian reconstruction: if in the Trinity we have one substance, and three only nominally separate persons, in the commonwealth we have one matter, the multitude, out of whose consenting wills three distinct persons co-originate – the person of the sovereign, the person of the people, and the person of the state. These are three nominally distinct persons between whom a performative coincidence holds in the medium of representation: the multitude are made a unity, named as “the people”, when represented by the state, which itself can only act (and therefore *be*) in the world when represented by the person of the sovereign.

But if Hobbes upends the foundations of the mystical ontology of corporation, he is no less vehement in his opposition to the mimetic ontology of corporation mobilized by the parliamentarians. Echoes of the metonymical language of real presence do figure in their writings, as in Henry Parker’s claims that parliament is ‘virtually the whole kingdom itself’, or his treatment of the kingdom ‘as the essence itself of Parliaments,’ but even in these passages it is the mimetic logic that gets the upper hand.[[42]](#footnote-42) For Parker and other parliamentarians, parliament is the representative of the people primarily on account of its representativeness – that is to say, because only parliament reflects the people’s composition, thereby offering a faithful representation, image, or likeness of it. Parker reverts to the original Latin meaning of to represent as to vividly depict something, while deliberately sliding from resemblance to full identification: parliament being such a likeness of the people, the ‘essence’ of the people can be said to lie there. Parliament goes thus beyond offering a mere likeness of the people; it *is* the people, the people having no reason to guard itself against it. For Parliament could not possibly harm the people’s rights or interests, if they are *ipso facto* its rights and interests too.

It is easy to see how the mimetic logic upon which Parliament constructed its exclusive claim to sovereignty might have had intuitive appeal. Just as one recognizes oneself in a mirror, so might the people *see* themselves in a descriptive assembly, and thus take it as one *of* them and indeed as one *with* them. Yet the requirement of descriptiveness excluded the monarch as a plausible candidate for the role of (sovereign) representative, and so we see Hobbes insisting that representation does not imply resemblance.[[43]](#footnote-43) In chapter XLV of *Leviathan*, Hobbes draws an analytical distinction between resemblance and representation, noting that in the latter case the connection between signifier and signified need not rely on descriptive likeness; it can, for instance, rest on a conventional standing in for. Hobbes’s polemical point is that for representation to be productive, it needs to enjoy a fair degree of sovereignty from the thing it purportedly only re-presents. In particular, the multitude must save themselves from themselves by enabling and owning up to a collective representation of themselves that must not simply or wholly coincide with themselves as they are outside it.[[44]](#footnote-44) Rather than insisting on impressing their wills upon the state, they must come to see their will, as represented *in* the state *by* the sovereign, as the people’s will, there being no other will of the people. It is unity that is required for a collective entity to be enacted, and unity requires not mirroring but *making.* It is the *unity* provided by the sovereign’s *single will* – deciding on matters of common interest and enforcing decisions - that allows the state to act as the vehicle for the expression and realization of their collective identity.

Having dismissed the bases for mystical and mimetic corporate ontologies, Hobbes develops the foundations for his alternative representational ontology, with its reliance on the metaphorical, rather than metonymical, logic of representing something *as* something else, which overtly shows its own fictitiousness. Although legal categories were of undoubted conceptual help to Hobbes, there was a *non-sequitur*. The person of the commonwealth could not be a person in law. For the commonwealth was that which made the civil law – and thus legal personality itself – possible. Hence we see Hobbes deriving state personality from the capacity for self-personation man has by nature (the natural person being already a theatrical fiction), and grounding the catalyst to deploy it in the construction of the state on law preceding the civil law.[[45]](#footnote-45) If the commonwealth is a person by fiction, it must be by means of our capacity for self-representing and an extra-legal norm: the natural fundamental law commanding us to seek peace and to honor covenants made.[[46]](#footnote-46)

**Radical Imagination and the Making of the State**

The state – and indeed the people as the entity in whose name the state acts – are, however, notoriously difficult entities to make, because they are notoriously difficult to imagine. This is because they have no real-world counterpart: they cannot be directly experienced. They cannot be conceived or made present to our mind without our imagining them; yet, there is little to go by. This means that they are ultimately not as much the product of productive imagination as of radical imagination, understood as the power of creating something with no relationship to what has been experienced before (in full or in part).As Hobbes explains in connection to God, ‘in those things that signifie Greatnesse and Power’, to say we can conceive, imagine or figure them ‘is not to Honour; for all Figure is Finite’.[[47]](#footnote-47) Any visual representation of them is thus necessarily a failure of representation. The mortal god is no exception: Hobbes imagery to express what the state is *like*, however necessary to institute a shared political imaginary, seems to always break down at some point, especially at moving from the whole made of parts to the real unity.

To form a conception of the state we must engage the imaginative supposition of ‘the Greatest of humane Powers’, (something never seen), ‘which is compounded of the Powers of most men, united by consent’, a power men must imagine to cause it come into being by jointly authorising it.[[48]](#footnote-48) It would be a mistake, however, to conclude from this that the imagination alone produces the state by ‘fiat’, understood as an existence created out of nothing for which Hobbes lacks an explanation.[[49]](#footnote-49) The real explanation for how the state might come to *be* is provided by Hobbes: the state is a collective entity sustained by a fictional attribution of will and responsibility. Its nature is that of a system of shared liability, implying our continuing horizontal relationship as coauthors, sharing responsibility for (and never authority over) the sovereign’s words and actions, which are then attributable to a corporate entity: the state.[[50]](#footnote-50) It is however only when imaginatively subsumed under the person of the state that the parts can make sense of themselves and identify their real meaning as bound co-authors of the sole institution *in* and *through* which they collective identity might be expressed.

Castoriadis helps us make sense of the process whereby it is possible to speak of a state, with his distinction between the ‘instituting social imaginary’ and the ‘instituted social imaginary’.[[51]](#footnote-51) The former is an act of radical imagination, ‘a power of creation, a *vis formandi*, immanent to human collectives as well as to individual human beings.’[[52]](#footnote-52) This corresponds to Hobbes’s human ‘fiat’, which he explicitly describes as an interweaving of wills, by way of pacts and covenants, whereby a new entity, the state, is brought into being, by having its actions authorised and owned. The latter corresponds to the use of imagination to sustain what is already. One cannot be without the other, however, for, as Michaele Ferguson rightly insists, new entities cannot be called into being by simply naming them: ‘Without being expressed in practice, an imaginary cannot be sustained.’[[53]](#footnote-53) This requires close interplay between productive and reproductive imagination: an entity cannot ‘have reality for us without us doing the work of imagining it as such, and without us engaging in the practices that keep that imaginary alive.’[[54]](#footnote-54) To put it sharply, entities will not survive unless they have an intersubjective meaning for the parties responsible for their (re)production over time. This meaning is the medium through which the parties’ self-conception is reshaped, and, through it, also their action.[[55]](#footnote-55)

**The Person of the State as Coordinating Fiction**

The person of the state, as representative of the people’s unity (there being none outside it), is that medium. Hobbes turns to the theatre for the materials for its construction. Imagination is a critical component of the theatrical experience, and Hobbes famously finds his root understanding of person in it: a ‘persona’ is like the artificial outward appearance, the ‘Mask or Visard’, borne by actors ‘on the Stage’, and to ‘Personate, is to Act, or Represent’.[[56]](#footnote-56) With the theatralisation of person Hobbes manages to draw an ontological continuum between natural persons, or self-representers, and artificial persons, or representatives, whose words and actions are considered as, or taken to be, the words and actions of someone or something else, to whom they are attributed. Attribution, Hobbes tells us, can take two distinct forms: truly (if the represented is an author and can authorise and own up secondary words and actions) or by fiction (if the represented can neither authorise the relationship of representation nor in fact own up to secondary words and actions, and a third-party is required to establish the representational relationship and to make the fiction of the representee’s responsibility real). ‘By fiction’ refers here to the human capacity to treat x as if it were y (even though x is not y), and thereby assign personality, capacity for speech and action, and to hold responsibility, to things lacking such capacity in reality (non-natural persons, in Hobbes’s terminology). Translating into Hobbes’s theory of the state, the fiction of the state *qua* person can be maintained only insofar as we share amongst ourselves liability for whatever the sovereign says or does in our collective name (with the people concomitantly being transformed into the nominal entity that is claimed to empower the sovereign to enact the state – now effectively a *popular* state, but one radically undercutting traditional notions of popular sovereignty and constituent power).[[57]](#footnote-57) States may be bearers of the greatest power. But without us doing the work of engaging in the practices that keep them, as imaginary collectives, alive, they will simply melt into the air.

The state is but a representational fiction, a nominalist abstraction (‘a word, without substance’), which we invest with the capacity to act in our common interest.[[58]](#footnote-58) But this will work only insofar as we play our part, and we will play our part only insofar as the fiction of the state remains believable. For this the sovereign must fulfill the purpose of his office: procuring the safety of his people (*salus populi*). The sovereign is to figure forth the state, in the sense of giving it its form, or making it into what-it-is-to-be: a unity; and this implies avoiding partiality towards the great, and seeking the good of the people, to retain the people’s obedience and public endorsement. Fictions can die from neglect, and the bearer of sovereignty can be as implicated in it as its beholders.

This bring home the point that the state depends on representation for its existence, Hobbes repeatedly stresses that state and sovereign ‘coincide in life’, and ‘collapse together’.[[59]](#footnote-59) While this is meant to stress the dependence of the person of the state upon the sovereign, as its bearer, it can be read, on the flipside, as enjoining the sovereign to guard the state’s interest above all.

The dependence of the person on personation, or representation by himself or another, forms the basis for Hobbes’s claim that the collective “person” of subjects is present only as represented by the sovereign. Although the definition of person in chapter XVI presents the person as a representative, it is clear from the treatment of the commonwealth as a person in that same chapter (and, if anything, made clearer from the definition provided in chapter XLII) that Hobbes identifies person also with the represented.[[60]](#footnote-60) This should not, however, come as a surprise insofar as someone or something becomes a person – i.e. acquires a reflected personhood –, in virtue of personation, or of being represented *as if* an entity capable of words and actions. Materially existing things, like bridges, can be persons through this fiction, but so can non-existing things, such as idols or the state. All this requires is a more radical act of the imagination.

On a theatrical conception of representation as personation, represented and representative are the same in the order of representation (as is clear from the definition of “person” given in *De Homine*).[[61]](#footnote-61) Similarly, since unity is produced through representation by a unitary will, the person of the group represented is folded into the person of the representative, when acting as an artificial person, on the group’s behalf. Hobbes makes this manifest by treating the sovereign as the soul, not the head, of the commonwealth. With its pretense to immortality lost at the hands of Hobbes materialism, the soul loses its mystical quality. But not its vital importance: for while the head is but a part, which one might think to be replaceable as part (especially if taken as a mechanical part of the artificial man), the soul is an essence.[[62]](#footnote-62) In the artificial ‘publique Soule’, form and life of the commonwealth coincide, so that the state simply ‘comes crushing down, when the principle of its form, the sovereign, collapses.’[[63]](#footnote-63) This explains Hobbes’s repeated sliding from the sovereign as he who *bears* to the sovereign as he who *is* the person of the commonwealth.

But even if the state cannot exist as a person without the representative agency of the sovereign, it would be too quick to infer from this that for Hobbes the state is not a person after all.[[64]](#footnote-64) That the state is not without enacting does not imply it is not what is being enacted. Nor does it necessitate that the state cannot thereby be made real, even for the sovereign, who must acknowledge the state’s presence in his actions *qua* representative. Hobbes’s sovereign has duties as the occupant of the seat of power. This is a seat that can never be left empty. But it is also a seat about which Hobbes always meant to speak as an abstraction, and make “thinkable” as a separate person, apart from any particular incumbency.[[65]](#footnote-65)

Hobbes’s theory of representation, making the state’s person possible through the account of representation as personation articulated in *Leviathan*, is the kernel of his new political science. It requires a reformed vision, resisting deceptive fictions of identification predicated on purported resemblances, as the ones parliamentarians were disseminating.[[66]](#footnote-66) Hobbes breaks away from understandings of representation as mimesis – asserting that representation is tied up to something pre-given or pre-existing (notably, a constituent, sovereign people), to endorse an understanding of representation as constitutive of the represented (the people, now transformed into a representational fiction, claimed in making the state).

To represent involves, for Hobbes, acting for others – the sovereign acts as an authorised actor, invested with the authority of each and every subject. But it also involves “portrayal”, understood as representation-*as*. The use of “portrayal” here can be misleading, as portrait normally refers to the painting, drawing or photograph of a pre-existing person, giving it an artificial presence by way of mimetism. In Hobbes, however, in the political realm, representation is not about denoting something independently present, but rather about representing, positing, or enacting something as such and such – i.e., *as* one, to bring it into being. The sovereign’s enactment of the multitude *as* one makes the multitude thinkable *as* one people, and enables the parties comprising the multitude to identify themselves and act as coauthors of that person. The made up is thereby made real: a real unity.While analytically distinctive, the two forms of representation – representation-as and representation as representative agency – are intrinsically linked, in that for Hobbes personhood is attributable to that which is able to *act as* (if) a natural person – in a consequential manner, allowing for the assignment of responsibility.

In holding that subjects-to-be authorise the sovereign to represent them, and thus portraying the sovereign as an actor, acting with the rights of his subjects, Hobbes demonstrates the formal relationships between parts that are necessary to make the person of the commonwealth. It is the mutuality of the covenant, and the resulting system of shared liability, which ultimately sustains the representation of the state as one person. Being a fictional person, the state itself cannot truly own up to what it says and does, and yet through their shared liability it can bear responsibility for what the sovereign says or does in its name. From this line of inquiry into the form of the commonwealth results an understanding of the state as being less a ‘thing’ than a structured set of relations, most notably between the natural persons of subjects – as coauthors of the state, sustaining but not sharing its authority – and the artificial person of the sovereign, authoritatively acting in the state’s name.[[67]](#footnote-67)

The set of relationships that structure the state follows from authorisation. It is worth stressing, however, that Hobbes uses the language of representation (and not only that of authorisation, as it has been claimed)[[68]](#footnote-68) to describe the relationship between both, individual subjects-to-be and their sovereign (which is a case of *true* representation), and the sovereign and all those individuals represented as a whole (which is a case of representation *by* fiction). In Hobbes’s own words, the sovereign is ‘the Person representative of all and everyone of the Multitude’.[[69]](#footnote-69) The sovereign represents a number of individuals because there is no such thing as a body politic awaiting representation at the act of institution. All that stands available there is a multitude broken down into individuals. These are, however, interchangeable, or the exact equivalent of one another, in their desire for peace and prosperity. Hence, they willingly agree with one another to give up the sovereignty they enjoy over themselves to tie ‘sovereignty to representation, not authorship’ (which will continue to fall upon them).[[70]](#footnote-70) But the fact that the sovereign ‘represents or is the agent for the citizens taken as individuals’ should not be used to dismiss the separate personality of the state.[[71]](#footnote-71) For, in Hobbes, the process of representing them every one is not in contradiction with the process of representing them all (as one). This is because in representing each Hobbes’s sovereign is not seeking to represent them in what differentiates them from one another, but inasmuch as each of them is similar to all others.

The instrumental value of the state to each and every individual is, however, insufficient to sustain it. This can more easily be seen by comparing states to joint-stock-companies. Hobbes downplays the corporate personality of joint-stock-companies precisely because they remain an aggregate of individuals whose purpose was ‘not a Common benefit to the whole body’, but rather ‘the particular gaine of every adventurer’.[[72]](#footnote-72) They have no real unity, and therefore cannot be the model for the commonwealth. The construction of political union must surely relate to the most essential commonality between men – the fundamental need for self-preservation and our non-self-sufficiency in attaining it. Yet, the instrumentalist logic of self-preservation might be too thinly individualistic – that is, constitutive of ‘collectivity, but only as an aggregation of self-interested preferences’, shared only in the sense of distributively overlapping with each other.[[73]](#footnote-73) If reduced to this, it would be hard to see how the resulting collectivity could stand as a real unity looking out for ‘the common benefit of the whole body’.[[74]](#footnote-74)

This individualism is, however, only part of the story, a kind of performative fiction, illusively taken for the whole.[[75]](#footnote-75) Hobbes develops a theory of the representative state that rejects its reduction to a series of voluntaristic private individual principal-agent, author-actor, relationships. Consent between individuals in appointing one and the same person to represent each of them singly falls inevitably short of sustaining the claim that the sovereign represents a new separate person, the person of them all considered as one. Carl Schmitt makes this point with prescient clarity, though as a charge against Hobbes. He rightly insists that the covenant is too meagre a basis for collectivity: ‘The state is more than and something different from a covenant concluded by individuals… The sovereign-representative person is much more than the sum total of all participating particular wills … To this extent the new god is transcendent vis-à-vis all contractual partners…’.[[76]](#footnote-76) Hobbes knew this well. He was acutely aware of the shortcomings of representation understood, in an exemplary liberal fashion, as the mere education of pre-political individual interests, preferences, or wants, or as something tied up to a popular, extra-political, willful ‘we’, to which consent theory turned to keep representation under control. He acknowledged that as the individuals who are both the matter and makers of the state we do require explanations as to why we should consent to be taken as the authors of what the state does forus in our name. He therefore believed it to be the duty of the sovereign to make his subjects understand that to incorporate in a state is a rational act of will, insofar as it is only so united that they can construe the conditions under which their security, protection, rights, and private satisfactions, can be realized. Yet, individual self-interest calculations alone, however educated, could not sustain sovereignty, or effect the reduction of a plurality of wills to one will, underwritten by a generalized willingness to support collective goods. More is necessary: a common framework or master fiction of the person of the state as an all-powerful agent advancing the *salus populi*. This fiction acts as the coordinating force for their collective action. But for the fiction to be sustainable, the sovereign must come to *see* the interest of the state as its interest, and act accordingly; and subjects must cease ‘to think of themselves as individuals, and to act accordingly’.[[77]](#footnote-77) The ‘Leviathan’ names this process whereby people generate, own up to, and live by, a collective representation of themselves as something that transcends, rather than wholly coincides, with themselves – that is, as a people, who has in the state and the unitary representation of its will, the necessary condition of its expression. This state whose will is the people’s is a fiction, and a fragile one at that. But it is also the only fiction which, in Hobbes’s view, can sustain a public interest. And this is the only type of interest from which any particularistic demands can, in the end, be made.

1. My title is indebted to E. Scarry’s essay, titled, ‘The Made-Up and the Made-Real’, in: *Field Work: Sites in Literary and Cultural Studies*, ed. M. Garber, P. Franklin and R. L. Walknowitz (New York and London, 1996), 214-24. I would like to thank Quentin Skinner and all the participants in the 2018 Annual Symposium in the Humanities and Social Sciences on Skinner’s book, *From Humanism to Hobbes: Studies in Rhetoric and Politics* (Cambridge, 2018), for providing me with a reason to think through the role of fiction in Hobbes’s thought and for their helpful comments. Special thanks are owed to the speakers, David Colclough, Susanna Berger, and Sophie Smith, as well as to Maksymillian del Mare, whose knowledge of legal fictions has been an invaluable source of material. [↑](#footnote-ref-1)
2. For a positive assessment of the role of fiction see R. Douglass, ‘The body politic “is a fictitious body”: Hobbes on imagination and fiction’, *Hobbes Studies*, 27 (2014), 126-47. See also M. Brito Vieira, *The Elements of Representation in Hobbes* (Leiden, 2009). For the claim that Hobbes’s *Elementa philosophiae* seeks to give credibility to the project of a systematic approach to philosophy through a fiction concealing a real disconnection between parts (natural and legal) and the uses of fiction therein, see L. Foisneau, ‘Elements of fiction in Hobbes’s system’, in *Fiction and the Frontiers of Knowledge*, ed. R. Scholar and A. Tadié (Farnham, 2010), 122-44. [↑](#footnote-ref-2)
3. This was the focus of an earlier exchange between Quentin Skinner and David Runciman: Q. Skinner, ‘Hobbes and the Purely Artificial Person of the State’, *Journal of Political Philosophy*, 7 (1999), 1-9; ‘What Kind of Person is Hobbes’s State: A Reply to Skinner’, *Journal of Political Philosophy*,8 (2000), 268-78. Skinner has come to endorse Runciman’s view that Hobbes’s state is a person by fiction, and this is also the view he adopts in his most recent book, *From Humanism to Hobbes*, especially in the chapters on political representation and the concept of the state, chs. 9 and 12, respectively. This paper supports this interpretative position, by exploring the full import of the prepositional phrase “by fiction” as referring to special mental operations or ways in which something might be done. For the growing skepticism as to whether Hobbes’s state is a person by fiction or even a person at all, see, amongst others, P. Sagar, ‘What is the Leviathan?’, *Hobbes Studies*, 31 (2018), 75-92. This skepticism permeates the assessment of the legacy of Hobbes’s theory of the state in R. Tuck, *The Sleeping Sovereign* (Cambridge, 2016), especially p. 105 and p. 137. [↑](#footnote-ref-3)
4. This separation is central to the argument of Luc Foisneau’s ‘Elements of fiction in Hobbes’s system’. [↑](#footnote-ref-4)
5. This work started in Brito Vieira, *The Elements of Representation in Hobbes* (Leiden, 2009), but is now being expanded. For na excellent recent defence of the role of fiction – namely the fiction of constituent power – in Hobbes, which shares some common features with the argument presented here, see A. Lindsay, ‘“Pretenders of a Vile and Unmanly Disposition”: Thomas Hobbes on the Fiction of Consituent Power,’ *Political Theory*, 47 (2018), 475-499. [↑](#footnote-ref-5)
6. The distinction between reproductive and productive types of imagination is proposed by Kant in I. Kant, Anthropology from a Pragmatic Point of View, trans. Robert B. Louden (New York, 2006), 60-62. [↑](#footnote-ref-6)
7. See T. Hobbes, *Leviathan*, ed. Richard Tuck (Cambridge, 1996), I.2, 16. For a discussion of representation-as see N. Goodman, *Languages of Art* (Indianapolis, 1968), especially 28-31. [↑](#footnote-ref-7)
8. See Luc Foisneau, ‘Elements of fiction in Hobbes’s system’, in R. Scholar and A. Tadié (eds), *Fiction and the Frontiers of Knowledge* (Ashgate, 2010), 122-44. [↑](#footnote-ref-8)
9. Hobbes, *The Elements of Law*, ed. F. Tönnies, I.ii.10, 7. [↑](#footnote-ref-9)
10. *Ibid.*, I.iii.4, 10. [↑](#footnote-ref-10)
11. Hobbes, *Leviathan*, I.17, 22. [↑](#footnote-ref-11)
12. *Ibid.* [↑](#footnote-ref-12)
13. On this, see K. Hoekstra, ‘Disarming the Prophets: Thomas Hobbes and Predictive Power,’ *Rivista di Storia della Filosofia*, 59 (2004), 97-153. [↑](#footnote-ref-13)
14. A. Abizadeh, ‘The Representation of Hobbesian Sovereignty: Leviathan as Mythology’, in *Hobbes Today: Insights for the 21st Century* (New York, 2013), ed. S. A. Lloyd, 113-52. [↑](#footnote-ref-14)
15. Hobbes, *Leviathan*, II.17,120. [↑](#footnote-ref-15)
16. See M. Brito Vieira, *The Elements of Representation in Hobbes*, 176. [↑](#footnote-ref-16)
17. A similar point is made in T. Stanton, ‘Hobbes and Schmitt’, *History of European Ideas*, 37 (2011), 160-167, at 165 n.55. [↑](#footnote-ref-17)
18. T. Hobbes, *The Elements of Law*, I.xiii.7, 68. [↑](#footnote-ref-18)
19. It should be noted that Foisneau refers to compound imagination in the ‘Elements of fiction in Hobbes’s system’, but only as a footnote, page 78, n. 25. He does not analyze the forms of imagining it makes possible and how they may lie behind the construction of the political world. [↑](#footnote-ref-19)
20. Q. Skinner, *From Humanism to Hobbes. Studies in Rhetoric and Politics* (Cambridge, 2018), 15. [↑](#footnote-ref-20)
21. See Pierre Fontanier’s 1821 definition of prosopopoeia impressively summing up Quintilian’s (*Institutio oratoria*, 9.2.31), in P. Fontanier, *Les Figures du Discours*, ed G. Genette (Paris, 1968), 404 ff. [↑](#footnote-ref-21)
22. M. Riffaterre (1985), ‘Prosopopeia’, *Yale French Studies* 69, pp. 107-121; 108. [↑](#footnote-ref-22)
23. Quintilian, *Institutio oratoria*, 9.2.31 [↑](#footnote-ref-23)
24. Riffaterre, ‘Prosopopeia’, 110. [↑](#footnote-ref-24)
25. Most notably in *The Elements of Law* II.viii.7, 173-4, where the analogy with the state is famously drawn. The treatment of the state *as* a person is equally clear from *De Cive* (1642), where Hobbes maintains that the state ‘is to be taken as *one person*; and is to be distinguished and differentiated by *a unique* name from all particular men, having its own rights and its own property.’ T. Hobbes, *De Cive*, ed. R. Tuck, M. Silverthorne (Cambridge, 1998), v.9, 73. [↑](#footnote-ref-25)
26. J. Canning, *The Political Thought of Baldus de Ubaldis* (Cambridge, 1987), 186. [↑](#footnote-ref-26)
27. W. Ockham, *A Translation of William of Ockham’s Work of Ninety Days* (Lewiston, NY, 2001), I, 428. [↑](#footnote-ref-27)
28. Bartolus, *Commentary* on D. 48.19.16.10. [↑](#footnote-ref-28)
29. On the reality of legal fictions, see D. Lind, ‘The Pragmatic Value of Legal Fiction’, in *Legal Fictions in Theory and Practice*, ed. M. Del Mar and W. Twinning (NY, Dordrecht, London: 2015), 83-109, at 87. [↑](#footnote-ref-29)
30. See E. Scarry, ‘The Made-Up and the Made-Real’, in: *Field Work: Sites in Literary and Cultural Studies*, ed. M. Garber, P. Franklin andR. L. Walknowitz (New York and London, 1996), 214-24. [↑](#footnote-ref-30)
31. Hobbes, *Elements*, II.viii.7, 174. [↑](#footnote-ref-31)
32. *Ibid.*, I.xii.8, 63. [↑](#footnote-ref-32)
33. *Ibid*., II.ii.4, 120. [↑](#footnote-ref-33)
34. *Ibid*. [↑](#footnote-ref-34)
35. Hobbes, *Leviathan*, II.29, 230. [↑](#footnote-ref-35)
36. See Q. Skinner, ‘Hobbes on Political Representation’, *European Journal of Philosophy*, 13 (2005), 155-184, 158, citing Parker, *Observations*, 18, and the anonymous *Maximes Unfolded* (1643), 26. [↑](#footnote-ref-36)
37. See, e.g., Skinner, *From Humanism to Hobbes*, 200. [↑](#footnote-ref-37)
38. H. S. Turner, *The Corporate Commonwealth. Pluralism and Political Fictions in England, 1516-1651* (Chicago, 2016), 24 and 26. [↑](#footnote-ref-38)
39. For a thorough discussion of these, see M. Brito Vieira, *The Elements of Representation in Hobbes*, especially chs. 1 and 4. [↑](#footnote-ref-39)
40. Hobbes, *Leviathan*, III.44, 423. [↑](#footnote-ref-40)
41. Hobbes, *Leviathan*, I.16, 112. [↑](#footnote-ref-41)
42. [H. Parker], *Observations upon Some of His Majesties Later Answers and Expresses* (London, 1642), 28 and 4. [↑](#footnote-ref-42)
43. See Hobbes, *Leviathan*, II.19, 130. [↑](#footnote-ref-43)
44. P. Downes, *Hobbes, Sovereignty, and Early American Literature* (Cambridge, 2015), 58. [↑](#footnote-ref-44)
45. H. S. Turner, *The Corporate Commonwealth*, 223. [↑](#footnote-ref-45)
46. A similar point is made in B. Holland*, The Moral Person of the State* (Cambridge, 2017), 11. [↑](#footnote-ref-46)
47. Hobbes, *Leviathan*, II. 31, 250. [↑](#footnote-ref-47)
48. Hobbes, *Leviathan*, I.10, 62. [↑](#footnote-ref-48)
49. See Sophie Smith’s piece in this special issue. [↑](#footnote-ref-49)
50. My formulation is indebted to E. Beerbohm’s in *In Our Name: The Ethics of Democracy* (Cambridge, Mass., 2012). [↑](#footnote-ref-50)
51. C. Castoriadis, *Figures of the Unthinkable* (California, 2007), 73. [↑](#footnote-ref-51)
52. *Ibid*., 72. [↑](#footnote-ref-52)
53. M. Ferguson, *Sharing Democracy* (Oxford, 2012), 73-74. [↑](#footnote-ref-53)
54. *Ibid*., 74. [↑](#footnote-ref-54)
55. See Lindsay, ‘“Pretenders of a Vile and Unmanly Disposition”’, 489. [↑](#footnote-ref-55)
56. Hobbes, *Leviathan*, I.16, 112. [↑](#footnote-ref-56)
57. See I. Hont, *Jealousy of Trade: International Competition and the Nation-state in Historical Perspective* (Cambridge, Mass., 2005), 465; see also Lindsay’s ‘“Pretenders of a Vile and Humanly Disposition”’. [↑](#footnote-ref-57)
58. Hobbes, *Leviathan*, II.30, 245. [↑](#footnote-ref-58)
59. A. Cavarero, *Stately Bodies: Literature, Philosophy, and the Question of Gender* (Ann Arbor, 2002), 176. [↑](#footnote-ref-59)
60. ‘…in the proper signification of Persons; which is, that which is Represented by another.’ Hobbes, *Leviathan*, III.42, 339. [↑](#footnote-ref-60)
61. Hobbes, *Elementorum philosophiae sectio secunda* *de homine*, in: *Thomae Hobbes Malmesburiensis opera philosophica quae Latine scripsit omnia* (vol. 2, pp. 1-132), ed. William Molesworth (London, 1839), 15.1., 84: “*Persona est cui Verba & Actiones hominum attribuuntur vel suae vel alienae. Si suae, Persona naturalis est; si alienae, Fictitia est*.’ [↑](#footnote-ref-61)
62. Cavarero, *Stately Bodies*, 176. [↑](#footnote-ref-62)
63. Hobbes, *Leviathan*, II.29, 230; Cavarero, *Stately Bodies*, 176. [↑](#footnote-ref-63)
64. This much is argued by, e.g., Phillip Pettit, when he claims that for Hobbes ‘there are no persons but spokespersons’. P. Pettit, *Made with Words: Hobbes on Language, Mind and Politics* (Princeton, 2008), 56. [↑](#footnote-ref-64)
65. See Hobbes, *Leviathan*, Epistle Dedicatory, 3. [↑](#footnote-ref-65)
66. See Brito Vieira, *The Elements of Representation in Hobbes*, 235-53. [↑](#footnote-ref-66)
67. Brito Vieira, *The Elements of Representation in Hobbes*, especially 147-207; H. S. Turner, *The Corporate Commonwealth*, 220. [↑](#footnote-ref-67)
68. See D. Runciman, ‘Hobbes’s Theory of Representation as: Anti-Democratic or Proto-Democratic’, in: *Political Representation*, ed. I Shapiro, S. Strokes, E. Wood and A. Kirschner (Cambridge, 2009), 15-34. [↑](#footnote-ref-68)
69. Hobbes, *Leviathan*, II.19, 129. [↑](#footnote-ref-69)
70. P. Downes, *Hobbes, Sovereignty and Early American Literature* (Cambridge, 2015), 60. [↑](#footnote-ref-70)
71. As is the case in Tuck, *The Sleeping Sovereign*, 105. [↑](#footnote-ref-71)
72. Hobbes, *Leviathan*, II.22, 160. [↑](#footnote-ref-72)
73. See K. Olson, *Imagined Sovereignties. The Power of the People and other Myths of the Modern Ages* (Cambridge, 2016), 20. The difference between need and preference must be noted however, since self-preservation is a necessity about which there is little choice. See also M. Brito Vieira, ‘Performative Imaginaries: Pitkin versus Hobbes on Political Representation’, in: *Reclaiming Representation. Contemporary Advances in the Theory of Political Representation*, ed. M. Brito Vieira (New York, 2017), 25-49. [↑](#footnote-ref-73)
74. Hobbes, *Leviathan*, II.22, 160. [↑](#footnote-ref-74)
75. For the illusion thesis, see Stanton, ‘Hobbes and Schmitt’, 165. [↑](#footnote-ref-75)
76. C. Schmitt, *The Leviathan in the State Theory of Thomas Hobbes: Meaning and Failure of a Political Symbol* (Chicago and London, 2008), 33. [↑](#footnote-ref-76)
77. Stanton, ‘Hobbes and Schmitt’, 166. [↑](#footnote-ref-77)