Summary
Hobbes develops an account of the key concept of the state of nature, what I call the ultimate one. I complement this by adding its moderate version which I illustrate with the story about the ancient Icelanders and their Sagas. They respected their laws though they could not enforce them. Life in that society was sometimes short, nasty and brutish but never poor or lonely. But finally the rule of the Norwegian king was instituted. Hobbes wants an additional social concept which must be understood in reference to the ultimate one, namely, that of civil war. It resembles the ultimate state of nature and also leads to it. After this he must consider the third concept, namely, life under divided political power. But here the argument fails: he cannot say that divided power brings about civil war which in turn brings about the ultimate state of nature. The only possibility is to argue that the life under the divided power is itself a state of nature (of its own special type). But this is an exaggeration. Hobbes’s argument in favor of a sovereign ruler has carried him far, but perhaps not quite far enough.

1. Naive Intuitions

Everyone should realize that Hobbes’ famous concept of the Natural Condition of Mankind, or the State of Nature, is a complex and multidimensional creation, although it is often described in an overly simple manner. Students, for instance, are sometimes led to believe that the state of nature is a pragmatic and methodological concept, in the sense that Hobbes never intended to claim that the state of nature has actually existed; on the contrary, he intended to warn us about its possibility, if we do not play the game of politics in a rational manner. For instance, if we let a civil war rage long enough, unchecked, the result is the state of nature, chaos. The notion of the state of nature is also needed to give an account of the (fictional) starting point of the (fictional) social contract. The intuition which supports such a fictionalized approach is this: if the state of nature is a historical fact, in the sense that it is the starting point of all organized social life, and hence also of the Commonwealth, the rule of law can never be established. To do so we need a commonwealth and the Social Contract or Covenant which is its sole foundation. But how can the people in the state of nature reach such a decision and make the necessary covenant, when they are devoid of all organized social life? Their main problem is that they cannot make binding contracts at all. Of course one may then suggest that a covenant by
Acquisition is possible, even if the method of Institution is impossible. But Hobbes explicitly refers to the former method, as if it were a plausible alternative as well. From this it must be inferred that the state of nature never actually existed. People always lived in some social organizations which exhibited enough structure to make covenants possible, not permanently of course, but initially and _prima facie_, so that a Sovereign could emerge.¹ I will explore such a possibility below. It seems that Hobbes thinks that the state of nature has existed in the course of history. I would like to argue for an even stronger position, namely, that according to Hobbes’s premises it exists in his own England as well.

2. Two Forms of the Ultimate State of Nature

We need the following simple definitions: (A) The State of Nature means perpetual war, as Hobbes says in _De Cive_: “the state of nature, that is, of war” (I, 15).² But the ‘state of nature’ refers also to all the bad consequences of such a war. This is ambiguous. (B) War is the “known disposition” or the constant willingness to fight (not only actual fighting), as Hobbes says in _Leviathan_ (I, 13).³ When we combine these two ideas, we realize that the state of nature is the never-ending willingness to fight, or the perpetual threat to our lives, without any relief on the horizon. In the state of nature there is no escape from the misery of anarchy. And because any person will naturally try to preserve his or her life, the realization that it cannot be done with any certainty must lead to desperation. Life is miserable and certainly not conducive to any kind of success. Let us call this the Ultimate State of Nature. Then we need to ask whether it can exist and has existed. Hobbes says that it has existed. He mentions the savage American Indians in _Leviathan_ (I, 13) and _De Cive_ (I, 13) and also the “old inhabitants of Germany and other now civil countries” (_The Elements of Law_, I,14,12)⁴, but he could also mention the early Greeks. He seems to have borrowed freely from Thucydides for his ultimate description of the state of nature, and Thucydides certainly describes it and the cruel conditions which prevail in the state of nature as an actual historical fact.⁵

As everyone knows, in _Leviathan_ (I, 13) Hobbes also writes: “But though there had never been any time, wherein particular men were in a condition of warre one against another...”. This is often read as an unconditional denial of the possibility of the state of nature, which it is not. His reasoning is conditional. In this context he is discussing foreign policy, which he says is
anarchy, and the possibility of universal internal war is left open. He puts it rhetorically thus:
whatever you think of the possibility of the state of nature, at least this much is clear,
international relations are always at the level of war. There is “no Common power” there and for
this reason alone the states are in the state of nature. The same happens between individuals
when they lack the common power which can control them.

If we agree that this kind of the ultimate state of nature is an historical fact, we can then argue
that it is far too radical a concept. The ultimate freedom which it entails looks too much like a
colorful narrative, the horrors of fighting seem unbelievable, and the misery of life incredible.
Here an alleged historical description comes too close to a rhetorical construction, a mere
warning, to create a convincing starting point for a scientific or ethical argument. ⁶ If it existed in
the past, as Sigmund Freud thought, the state of nature is hardly relevant to us now. We cannot
stop here.

The second possibility of the understanding of the meaning of the state of nature is the
Moderately Ultimate State of Nature, which is the condition in which people like the American
Indians used to live, if they think and reason about their condition; then “all men agree on this,
that Peace is good and ... the rest of the Laws of Nature, are good; that is to say, Morall
Vertues.” (Leviathan, I, 15). In other words, when people in the ultimate state of nature aim
only at their private rights and liberties, thus creating a social chaos, they may also entertain
some good thoughts about Natural Laws. These are, according to Hobbes himself, the precepts
of Right Reason, whose purpose is to regulate social conduct so that it does not lead people into
the maelstrom of perpetual war. Thus, the second concept of the state of nature is the ultimate
one modified and moderated by the thoughts of natural laws. But Hobbes does not seem to
discuss this possibility explicitly in his works. Yet, he makes it clear that the victims of the state
of nature should understand both the cause and the ideal solution of their problems, and they
understand them if their “perverse desire of present profit” allows (De Cive, III, 27). In an
interesting account of the state of nature near the end of Leviathan (IV, 46) Hobbes says that
“The Savages of America, are not without some good Morall Sentences ...; but they are not
therefore Philosophers.” This is the clearest possible proof that the Indians can also think and
reason. To do this, some social structure is needed – otherwise such good moral sentences are
nothing but idle babble. Hobbes seems to support an institutionalized theory of normative
thought and language, namely, in the ultimate state of nature people’s sudden judgments are random, and if they are not, some social structure and power is present. This fact entails a departure from the original chaos.

Why Hobbes does not discuss it is an interesting question. It seems natural to suppose that some social structure presupposes social power, and social power means control. And this is a departure from the ultimate state of nature. For instance, a Village is a collection of families along with its informal legislation, leadership, and social control. Thus the present concept of the moderately ultimate state of nature is a perfectly logical development of his explicit ideas and, even more significantly, there is a rich source of the relevant narratives available as evidence to us. I refer to the Icelandic literature of the Sagas, such as the Saga of Burned Njál. Of course the historical question of whether Hobbes knew or could have known this source remains open. It can be assumed that the Sagas and/or some other accounts of the old Icelandic legal system were available to learned readers of the early 17th Century, such as Hobbes, but one cannot be certain. The Saga of Burned Njál was published in English in 1772. This fact is certainly worth researching further. Anyway, the Saga of Burned Njál offers a lucid and explicit account of the life of the society of free men who are at the same time knowledgeable of the existence of their in oro interno binding laws. These laws are unwritten, or at least mostly so; they are recited and interpreted by some wise old men, the lawspeakers, who are recognized as judges. However, no coercive executive authority exists. In other words, everyone knows that the laws exist and their function is to limit the primary rights and freedoms of free men. They know also that in problem cases the lawspeakers can be consulted so that the application of the laws can be fixed. This entails the existence of some social power to control the individual judgment. If all but one person believes the lawspeaker, the renegade must yield. But at the same time everyone realizes that obedience to the laws is not coerced. Thus one may ignore the judge’s orders if one pleases – and can afford it: “Covenants, without the Sword, are but Words” (Leviathan, II, 17). When that happens, a deadly fight ensues. The Sagas are convincing when they describe the cruelty of the violent life of Icelandic heroes. All this is made perfectly clear in the literature of the Sagas. But at least the Islandic Free State exhibits enough social structure and informal power to support some good moral thoughts.
From the present point of view, it is enough to say that the moderately ultimate concept of the state of nature makes sense. What we have here is a state of nature, a perpetual war, because the ancient Icelandic heroes can never relax and feel safe, even if they know about the ideal rule of law. They must stay alert and ready to fight at any time, namely when they or their antagonists decide to reject the verdict of the designated judge, and actual fighting starts in earnest. Anyone can accept or reject any verdict, as a matter of fact. However, the problems which they encounter when they consult the lawspeaker are not only at the level of their free and capricious will. A deeper reason can be mentioned: the quarreling parties may not agree on the interpretation of the words of the lawspeaker. They remain free to read him as they please, twist and turn his words and phrases until they sound right, to the dismay of the competing parties.

Here the Sagas speak for the acceptance of the recent Linguistic Turn in Hobbes-scholarship. At the same time, the Sagas make it clear that this system of law and order was successful for a long time (870-1262), it guaranteed a brutal and violent social order, but it did not prevent a genuine social life and economic development. The Sagas are cruel but it is clear that the social system worked. Once one accepts the ethics of heroic virtue, life is good.

Here are some characteristic points, as James Bryce makes them: “simplicity in legal matters, instead of characterizing the state of nature, is the latest legal achievement of a civilized age. ... In no other literature is fiction or history, by whichever name we describe the Sagas, so permeated by legal lore,” but “when a powerful member [of society] became disobedient, there were no means of reducing him to submission.” The heroes have a bad habit of cutting each other to pieces, but that does not prevent their social life from flourishing. Hobbes would have been surprised. In this moderate version the state is nature is indeed a perpetual war but not necessarily a social misery. Thus the two notions of the state of nature are not the same: in the ultimate case we have war and misery, in the moderate case we have merely war. In the first case we have no social structure; in the second case we have the law and its institutionalized interpretations. But these are neither fixed nor stable – in a word, they are not coerced.

The Free State was a fragile order which was ultimately replaced by the rule of the Norwegian kings, as the Hobbesian political theory predicts. The free men of Iceland asked the king to rule over them. They made a covenant with him to end their life in the state of nature, and they made
it without a conquest. There was enough cooperation in the state of nature. Such is the outline of an empirical test case of the Hobbesian political theory.

3. From Divided Power to Civil War

Next, we must ask what happens when the rule of law is guaranteed by adequate coercive measures. Is this sufficient to free us from perpetual war and the state of nature? Of course the Hobbesian answer must be in the negative. The coercive order itself does not guarantee anything yet, if it is not ‘common power’. This conclusion is obvious when we think of Hobbes’s own idea of the Sovereign and his power which, in order to be common power, must be absolute, or unmixed and undivided (Leviathan, II, 29). In other words, even if the laws are coercive another code of law may be equally coercive, when precepts of the codes conflict (divided power). Two swords are too much. The different branches of government may have their own areas of jurisdiction (mixed power). The main example the divided power is the one Hobbes himself seems to have in mind, namely, the conflict between civil and ecclesiastical law. The citizen is at the same time under both codes of law, both are coercive, both are backed by authority, and their orders may well lead in opposite directions: “in this Darknesse of mind, [they] are made to fight one against another, without discerning their enemies from their friends, under the conduct of another mans ambition.” (Leviathan, IV, 44). An example is the rule of a pagan king. If he wants to be a Sovereign, he must claim for himself the right to decide on the religion of his commonwealth. But as a pagan his religion is antithetical to Christianity. The Church enforces its own laws which are backed by God, the King enforces others. Whom should the citizen obey? One must choose one’s side, but whatever side is chosen, one breaks the laws of the other side. Two parties are created accordingly, and in this situation each side views its opposite as a lawbreaker. This leads to civil war, the purpose of which is to unite the ruling power, or to create a commonwealth and to re-establish a sovereign. But first a civil war is needed. Hobbes condemns mixed power: “To what Disease in the Naturall Body of man, I may exactly compare this irregularity of a Common-wealth, I know not. But I have seen a man that had another man growing out of his side, with an head, armes, breast, and stomach, of his own.” (Leviathan, II, 29). Such a monster, whether natural or artificial, cannot live long.
Let us notice that the concept of a civil war is not easily adaptable to the Hobbesian characterization of war as the constant willingness to fight, however important it is to his political world view. We cannot call a social conflict between two or more parties a civil war before the fighting has started. However warlike the parties are, and whatever rhetoric they may use, they need to do battle before they have a civil war. If this is not the case, most, if not all states and commonwealths are always tied up in a civil war. The point is simple: the real Hobbesian Sovereigns are rare, but because absolute power alone guarantees peace, it is equally rare. Their power is mixed and divided. And if there is no peace, there is war as a constant willingness to fight, or civil war. This is clearly too strong a conclusion. It is quite possible that several mutually hostile power bases exist without any realistic possibility of ascribing the term ‘civil war’ to their competitive social condition if they are not violent. If this point is not accepted, any country where the Catholic Church is working side by side with the State is already engaged in a civil war. Both of them are able and willing to punish their subjects. They have their codes of law and both parade their authority. Thus, the notion of civil war entails actual fighting or at least an initial battle or two in contrast to the ultimate and moderately ultimate notion of the state of nature. And because of this, it exhibits a unique type of social disaster. We must proceed carefully from the ‘constant willingness to fight’ first to the ‘war’ and then the ‘state of nature’.

Somehow Hobbes seems reluctant to call a civil war, as such, a state of nature. In actual fact, he is not eager to discuss civil war at all as a special topic in Leviathan. But of course he wrote Behemoth (1668-1670) much later. When Hobbes talks about civil war, he means either the English Civil War or a civil war in a more general sense. But especially when he talks about the former, he has in mind the actual battles and their consequences between the King and the Parliament. Some historians say that this war did not interest the common people of England too much. Some did not know about it, and some even welcomed it because it offered adventure and extra income: “Outside London and Oxford life went on much as before except in those areas where fighting was taking place.” Hobbes’ main idea may be, however, that if a civil war is allowed to continue, the social order will collapse into the state of nature. Here civil war is the sufficient condition and efficient cause of the emerging state of nature in its moderate sense. It is hard to believe that all social structure and good moral thoughts could vanish. But despite the simplicity of the point above, conceptual problems start cropping up, as we will see. First we
may ask, why is civil war itself not a state of nature? The question is motivated because in civil war fighting is a fact; there is a nominal ‘Sovereign’ but no common power, and no universal rule of law. Hence it should be called a state of nature, but it is not. Civil war just leads to the state of nature, and in this way it is only a potential catastrophe.

If the state of nature is just a condition in which people are totally free to live according to their natural rights, and the only way to amend this is to covenant with the sovereign power, civil war should not be called a state of nature. It is the slippery slope to the ultimate disaster. And, as I argued above, if the notion of civil war is replaced by the notion of the mere lack of the sovereign power, we get the analogous result that all social orders, as we empirically know them, deserve the name ‘state of nature’ – when no true Hobbesian sovereigns exist. But this was hardly Hobbes’s own idea. He says merely that such an imperfect distribution of power is prone to lead the citizens into the state of nature, into the chaos of unlimited freedom. Or more accurately, he says that any division of power may lead to civil war which may then lead to the state of nature in its (moderately) ultimate sense. When the parties fight long and hard everything is destroyed, and then they must be ready to go on fighting forever. Of course we could ask, how much can be destroyed? Would it be plausible to say that all of the social order must go, including people’s rational ability to recognize the natural law? Could they forget it, or lose their right reason and their use of legal language? It is hard to believe that they could ever return from the civilized conditions of a (near) commonwealth to the ultimate state of nature. Even the return to the moderately ultimate state of nature sounds implausible. But if this is so, why not solve the problem by saying simply that prolonged civil war is itself a kind of state of nature. The warring factions have their respective laws but they are constantly threatened, and one can avoid their grip simply by changing sides. People are unsafe as well as unhappy and not much social or economic development can be expected during a civil war.

I think this is what happens with Hobbes’s argument from the logical point of view. He thinks that, realistically speaking, the worst political scenario is civil war. He describes its horrors. Hence, it is unlikely that he intends to commit himself to the thesis that civil war only leads the citizens down the slippery slope towards the ultimate state of nature. On the contrary, the civil war itself is one kind of the state of nature, the lawless rule of marauding bands and false kings. This is bad enough. At this stage Hobbes evokes the ultimate state of nature as the model of
social disaster and compares civil war to it. He concludes that civil war satisfies the key conditions of the state of nature and therefore it can be strongly condemned. To do this, it is not necessary to identify the causal consequences of civil war with the state of nature, which might be inaccurate and misleading. It is enough to say that its horrors are analogous to those encountered in the ultimate state of nature. Thus Hobbes reaches the goals of his foundational argument in political theory.

4. The Breakdown Point of the Argument

In his typically over ambitious manner Hobbes desires to achieve even more. He wants an argument which grounds the absolute, undivided power of the Sovereign in a Commonwealth. Nothing else is sufficient. He writes:

For whereas the stile of the Ancient Roman Commonwealth, was, The Senate, and People of Rome; neither Senate, not People pretended to the whole power; which first caused seditions ...; and afterwards the wars between the Senate and the People ..., to the extinction to their Democracy, and the setting up of Monarchy. (Leviathan, II, 29).

In this way divided power leads to civil war. In order to explain it, Hobbes forges a dubious link between the division of power and civil war. When this is done, the connection with the state of nature follows: Think again of the Catholic Church and its position in a Civil State. The king cannot extend his power over the Church, and if he cannot banish it, he must live with it and also accept his own limited power. Hobbes thinks that this is a cause of quarrel, which is of course true. But it does not seem to follow that this is, as such, the systematic source of civil war. Though it may or may not happen, I do not see any philosophical or other logical arguments which lead to such a conclusion. Divided power may well be a necessary condition of civil war, which is a trivial truth: if the King has full power, no one can rebel; if one is able to rebel, the King does not have full power. But to call divided power as such a sufficient condition of civil war is equally trivial.

In the end of his chapter on the dissolution of the commonwealth (Leviathan, II, 29), Hobbes writes:
Lastly, when in warre (forraign, or intestine) the enemies get a final Victory; so as (...)
there is no farther protection of Subjects in their loyalty; then is the Common-wealth
Dissolved, and every man at liberty to protect himselfe by such courses of as his
discretion shall suggest to unto him.

Here Hobbes indeed says that the citizens are driven all the way into the ultimate state of nature.
The last lost battle leads to anarchy. Notice how implausible such an argument is: after the
defeat all social structures have vanished, families, relatives, villages, shared norms, traditions,
and other informal constraints of destructive and selfish behavior. In fact social life seems to be
resilient to the ravages of war and peoples’ lives go on much like it used to. The slippery slope
to the ultimate state of nature is much longer than Hobbes’s rhetoric allows.

In the case of a full and prolonged civil war, like the Thirty Years War on the continent, it may
be plausible to follow Hobbes’s example and consider a close analogue to the ultimate state of
nature; but what about the case of the merely divided power of the king? Hobbes now needs
another argument which links the structural political problem to something drastically harmful,
just like civil war was linked to something which closely resembles the ultimate state of nature. I
do not think that this can be done. Nothing drastically harmful follows from the mere fact that
the king cannot rule all parts of his realm with equal ease and efficiency. True, Hobbes himself
thought that religious controversies lead to civil wars, as happened in his own time in England,
but this is just a historical contingency without much philosophical importance.

I do not deny that Hobbes may find another way of justifying sovereign power. My point is
merely that his argument from the ultimate state of nature breaks down too early for his
purposes. He is able to show why we must avoid civil war, but he cannot prove analogously that
we should accept the ultimate unification of power in the hands of one sovereign. If he wants to
use the argument from the state of nature, he should make a new, bolder and even more radical
conceptual move. He should say that any division of power defines a social condition which is
like the state of nature in its ultimate or moderate sense. This would indeed be radical, but is it
plausible? To defend it, one can say that because of the divided and mixed power, there exists a
set of social problems which cannot be solved lawfully. These bring about quarrels, which
(may) lead to fighting. This is war because people must be constantly prepared to defend
themselves. But this is an exaggeration. A small scale fight does not do drastic harm, compared to that in the ultimate state of nature. Therefore, to call any social situation where a sovereign and his laws are less than perfect a state of nature is too bold a linguistic move. Of course we may call such a situation a state of nature in a sense which is independent of its ultimate sense, but it is hard to see what good would follow from such a new *ad hoc* definition.

Hobbes argues in the following instructive way:

> Of which [infirmities of a commonwealth], this is one, That a man to obtain a Kingdome, is sometimes content with lesse Power, that to the Peace, and the defence of the Commonwealth is necessarily required. (*Leviathan*, II, 29).

He says that such a man found a mere Kingdom, not a Commonwealth. He is only a King and not a Sovereign. In this sense the quotation is perfectly logical, which is to say that a Commonwealth logically entails a Sovereign which again entails absolute power. Of course Hobbes applies these distinctions consistently but he also calls almost any system of legal coercive order a Commonwealth. In this sense, many different commonwealths exist. But at least in some of them, life may be poor, lonely, nasty, brutish, and short.

Therefore, I think we should agree with Hobbes that it is advisable to prevent all civil wars because they resemble the state of nature too much, but I do not think we need to agree with him that, for the same reason, any divided power should be unified under one Sovereign in his Commonwealth. Perhaps the divided and mixed power of a King leads to civil war which leads to the ultimate state of nature. But I have already rejected such an argument. Moreover a civil war is also its own type of the state of nature. Now, is it or is it not plausible to deny that civil war is the model of the social life in a civil state where political power remains divided? I think it is implausible. Life in a civil state where the King’s power is mixed or divided need not even resemble civil war. The impact of a divided power does not resemble civil war, and even less the ultimate state of nature. To use civil war as a model here is to misuse it. Compare: ‘That civil war was a legal and moral chaos’ and ‘The mixed power in that civil state was like civil war’. The first sentence is convincing in a sense which does not apply to the second one.

Schematically my conclusions are as follows:

1. Divided and mixed power in a civil state *does not, as such, bring about* civil war.
2. Civil war *may bring about* the (moderately) ultimate state of nature.
And

3. Divided and mixed power in a civil state does not resemble civil war.
4. Civil war resembles the (moderately) ultimate state of nature, its model.

Therefore, if Hobbes needs the idea of the state of nature when he argues for the absolute power of the sovereign, he must call the realm of divided and mixed power itself a ‘state of nature’. This is hardly plausible. His argument breaks down between the lack of absolute power and civil war.

5. Conclusion and Applications
My conclusion is that Hobbes has one key concept of the state of nature, that is, the Ultimate State of Nature, and its Moderate, Lockean version as well. But then he needs more. He develops an account of civil war which makes it look like a state of nature, analogously to the ultimate state of nature. He also plays with the idea that the second one causally brings about the first – this is a possible rhetorical strategy. Then, however, his key line of argumentation runs into trouble. This happens when he implies that all divided and mixed political power leads to civil wars, which is untrue. It is also difficult to amend the logic of his argument by saying that life under divided power is in itself a kind of the state of nature. In the case of civil war, this possibility saves the case, but not here. Any divided political power is uncomfortable and dangerous, but that is all. It is not a state of nature itself, nor does it lead to a state of nature. Of course even a powerful sovereign is still in the state of nature.¹⁴ This is because of the general nature of foreign policy. No international law can be enforced. Notice again that the mere possibility of international war is sufficient to call it the state of nature, regardless of how much harm is done to the combatants. And as he says, strangely but typically, not much misery follows from foreign wars (Leviathan, I, 13). Foreign wars are general harmless, which is a typical view of an islander.

This general line of argument above has two applications. First, one may suggest that the absolute power of the sovereign should be accepted by any rational person because the state of nature is always worse than the coercive rule of the sovereign. A rational person chooses the alternative which is less damaging to his or her interests in the long run. For instance, the sovereign guarantees safety which the state of nature does not do. But this argument is plausible
only if the state of nature is understood in its ultimate sense. If the state of nature is understood in its moderate sense, it is no longer clear how the argument fares. In the Icelandic Free state one’s life was insufficiently protected by the laws and other normative means, but it is not at all clear that every commonwealth under the absolute power of its sovereign is rationally preferable to it. In order to show that this is so, one needs to think of the ultimate state of nature. But as we have seen this construction is not a unique and well-formed one. It is easy to use the concept of the ultimate state of nature here, but the resulting argument is not valid, only tempting.

Second, as mentioned in the Introduction, it is implausible to suggest that commonwealth by institution is impossible because in the ultimate state of nature no covenant is binding. To refute this, it is enough to say that in the moderate state of nature contracts may be binding and in the same sense they are binding in the case of mixed and divided power. We do not think that in the latter case no valid contracts exist. But then they exist in the moderate state of nature. It follows that the commonwealth by institution is possible in the state of nature. The contrary intuition is again based on the illegitimate application of the concept of the ultimate state of nature as chaos without any social organization or moral, good sentences. The ultimate state of nature is a tempting but dangerous rhetorical idea.15

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Notes


2. I have used Gert’s edition, references are to Chapters and Paragraphs.

3. I have used Macpherson’s edition, references are to Parts and Chapters.

4. I have used Tönnies’ edition, references are to Parts, Chapters, and Paragraphs.


11. It is not clear why they invited the Norwegian king to rule over them. One explanation is that when they became Christians they needed a bishop, and this is how they got their king. See also Norman Yoffee, Myths of the Archaic State: Evolution of the Earliest Cities, States, and Civilizations, Cambridge: Cambridge University Press, 2005, and


15. I am grateful to Juhana Lemetti (Helsinki) for his comments. I read the first version of this paper in Buenos Aires in 2001; I am grateful to Professor Maria Lukac de Stier for her
invitation. The next version was read at APA Pacific Division Meeting in 2003. Professor S. A. Lloyd was the commentator. Her basic point was that Hobbes’s State of Nature is a “condition of universal private judgment.” The final ideas were tested in the University of Auckland and Waikato University, Hamilton, NZ, 2005; my thanks are due to Professor Rosalind Hursthouse (Auckland).