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The Hobbesian Crowd Problem

Luc Foisneau 

Abstract: In this article I try to identify the nature of the Hobbesian Crowd Problem as a problem depending on the nature of the connection, or absence of connection, between the notions of “crowd” and “people.” When a crowd is considered as a “subjected crowd” it is but the flip side of a people, which is itself the other name of the sovereign. When considered as a gathering of people, the crowd’s status depends on the intention of its members as well as the number of its participants, but also on whether it is authorized by the sovereign. Within the framework of his complex theory of associations (or “system subjects”), Hobbes’s theory of crowds is a useful instrument for assessing what we now call “populism,” the claim by some citizens to speak for the whole political community.

One way to formulate the Hobbesian Crowd Problem is to ask if there is a difference between a certain number of men taken abstractly and the same number of men together in what we usually call a crowd. Hobbes’s stance is that being part of a crowd does not transform the character of the plurality of men gathered together. What gives a “crowd” its “unity” can only be either contractual relations between all the individuals, or representation; otherwise, there are only individual people acting for themselves according to their own will and judgment. The demonstrations given in *De Cive* (1642/1647) and in *Leviathan* (1651) prove that while there may be an appearance of common action and speech in crowds, there is never any reality of it.¹ Hobbes’s more general thesis is that a crowd is a plurality of separate

Luc Foisneau is Director of research at French National Center for Scientific Research (CNRS), CESPRA, EHESS/CNRS, Campus Condorcet, 2 Cours des Humanités, 93322 Aubervilliers, France (luc.foisneau@ehess.fr).

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¹This idea goes against any sociology of social movements. To say that crowds are not political entities is also to assert that there can be no social movements of any kind,

persons, not a collective entity, except if a pact is made between them, or if there is legal permission to get together.

What is at stake, though, is a practical question for politics: a group of people is never justified in taking up arms against their sovereign. Though a crowd may look like a single entity when many people act together against the sovereign power, Hobbes insists there is no real unity attached to it as long as there is no legal representative of it. Though Hobbes sides with the political tradition that fears disorganized crowds and sees in them the origin of social disorder, a tradition that dates back at least to Plato's critique of democracy,² he does not evince any hatred or dislike of crowds, but instead prefers to develop a critical analysis of them.

One might say that a crowd is a kind of body without personality but the problem is to know what kind of a body it is and what actually makes it a body. When we observe people demonstrating in the street, the impression is that they form a unique body because of the perception we have of them all going together in the same direction, or listening to the same orator. But when this appearance is analyzed in a Hobbesian way all we find are separate individuals with singular wills and judgments. This conclusion anticipates methodological individualism,³ and opposes by anticipation the analysis of Gustave Le Bon, who sought to prove the existence of some kind of personality, though unconscious, in what he called psychological crowds.⁴ For Hobbes, crowds are neither psychological nor sociological: they have no will of their own, nor unconscious pull, until they are represented.

The theoretical face of the problem has to do with the method Hobbes deploys to analyze the very notion of a crowd, and it is worth remembering that what we name a crowd was for Hobbes and his contemporaries a "multitude." The whole discussion for Hobbes's contemporaries, Grotius and Pufendorf notably, was about the possibility of thinking the unity of a people independently of its being governed. Hobbes has a divergent

merely disobedience and a pretense of common action whenever people gather without prior authorization by the state.

²For crowds in intellectual history, see J. S. McClelland, *The Crowd and the Mob: From Plato to Canetti* (London: Unwin Hyman, 1989), and for Plato's critique of the rule of the multitude, see chapter 1, "The Crowd in the Ancient World."

³The expression "methodological individualism" was introduced by Schumpeter in 1909. See Joseph Schumpeter, "On the Concept of Social Value," *Quarterly Journal of Economics* 23, no. 2 (1909): 213–32.

⁴For the role of Gustave Le Bon (1841–1931) in the history of crowds, see McClelland, *The Crowd and the Mob*, 8: "The crowd had a 'group mind,' whose workings did not follow the same laws as the workings of an individual's mind because it was unconscious. It was an easy step from this to argue that any group whatsoever in which this 'group mind' could be seen to operate, could be looked upon as a crowd, and because all crowds were potential mobs, any group could become a mob."

opinion on this central question, since, in *De Cive*, he considers that the unity of the people comes from the unity of its government. Otherwise, he tends to identify government (of the people) and sovereignty (of the people). As for crowds, the question is whether one can speak of a crowd as such without a representative or a leader. Hobbes's position is that there is no "crowd" properly so called when there is no public structure authorizing it. In the contemporary debate among Hobbes scholars, Richard Tuck holds that the people in a democracy has "straight away a determinate institutional character."⁵ This institutional character is also present in other forms of crowds—only in very rare cases can a crowd be a sheer multitude with no institutional structure.

As to the difference between what Hobbes says on this in *De Cive* and in *Leviathan*, Quentin Skinner and David Runciman have it that the clear-cut thesis about a people's sovereignty that we find in *De Cive* is no longer so clear in *Leviathan*: they think that, in his later work, Hobbes has come to a conception of the state as a single and separate entity, distinct from the person who governs it, though not capable of governing itself.⁶ If the theoretical face of the problem is to know how a multitude can become a people, the political face of the problem has to do with understanding what kind of risk a rebellious crowd represents for a sovereign.⁷

To properly deal with the Hobbesian Crowd Problem in its political dimension—how a particular crowd could claim to speak and act in the name of the whole people—one needs to show how Hobbes uses a logical analysis of the term "multitude" to avoid introducing into it any political or sociological preconceptions. A careful reflection on what kind of word "multitude" is—a plural word—should put our political reflection on groups on the right track, and avoid giving political credence to rebellious gatherings of people (section 1). Hobbes's distinction between a crowd (*multitudo*) and a people (*populus*) helps us to understand how a great number of persons can form at the same time the political unity of a people and a crowd of obedient subjects (section 2). Although *De Cive* and *Leviathan* go in the same direction, which is to prove that there is no unity in crowds before the existence of a legal structure guaranteed by the state, *De Cive* has a more logical approach and *Leviathan* a more juridical approach to the Crowd Problem

⁵Richard Tuck, *The Sleeping Sovereign: The Invention of Modern Democracy* (Cambridge, MA: Harvard University Press, 2016), 98.

⁶David Runciman, *Pluralism and the Personality of the State* (Cambridge: Cambridge University Press, 1997), and Quentin Skinner, "Hobbes and the Purely Artificial Person of the State," in *Visions of Politics*, vol. 3 (Cambridge: Cambridge University Press, 2002), 177–208, and Quentin Skinner, "Hobbes on Representation," *European Journal of Philosophy* 13, no. 2 (2005): 155–84.

⁷For the historical context of Hobbes's political thinking, see Johann P. Sommerville, *Royalists and Patriots: Politics and Ideology in England, 1603–1640* (London: Routledge, 1999), and J. P. Sommerville, *Thomas Hobbes: Political Ideas in Historical Context* (London: Macmillan, 1992).

(section 3).⁸ The crowd/people distinction allows us to ask whether a crowd can properly be said to act when led by a leader who is not a proper representative, or when a representative encourages rebellion against the state.

This is, in essence, the question of populism reformulated from the Hobbesian perspective, since populism is the claim of a group of citizens to be considered as expressing the will of the people (section 4). To understand what a crowd is, Hobbes refuses to engage in crowd psychology, since he ignores the unconscious passions of the crowd and knows only individual passions as internal movements within individual minds motivated by individual conceptions of the good. Overall, Hobbes has good arguments against crowd psychology such as that developed by Le Bon (section 5), and criticizing such an approach by anticipation opens the way to a contractarian approach to politics. What makes for the originality of Hobbes's political theory of crowds in *Leviathan* is the fact that it starts from his theory of irregular associations, or, as he calls them, irregular systems, and offers an evaluation of the risk of crowds according to the intentions of the individual agents and the number of those who so gather (section 6).

1. What Is the Crowd Problem?

We must understand what the word "multitude," often translated "crowd," means, and also what kind of a word it is. Hobbes's formulation of the Crowd Problem in *De Cive* insists on its logical dimension: "The first and crucial question is this: what actually is a Crowd [*Multitudo*] of men (who unite by their own decision in a single commonwealth)? For they are not a *single entity* but a number of men, each of whom has his own will and his own independent judgement about every proposal" (*On the Citizen*, VI.1, 75).⁹ Hence the philosophical question is: Do individuals in a crowd, before the formation of a state, have a will in common? Hobbes's answer is that they have none, and that the study of politics starts with the idea of a plurality of human beings. But a logical difficulty remains, since though men originally form no collective entity, the use of the term "multitudo" in the singular wrongly suggests that they do. Tuck and Michael Silverthorne maintain that the Latin "Multitudo" should be translated "Crowd,"¹⁰ which reinforces

⁸However, I do not stress the difference between *De Cive* and *Leviathan* so much as their complementarity in helping us to understand crowds.

⁹Thomas Hobbes, *On the Citizen*, ed. and trans. Richard Tuck and Michael Silverthorne (Cambridge: Cambridge University Press, 1998). References to this work are by chapter and article numbers, followed by page number in this edition. References to the original Latin version are to *De Cive: The Latin Version*, ed. H. Warrender (Oxford: Oxford University Press, 1983). All emphases are in the original.

¹⁰"No modern English word seems to be an adequate substitute for the archaic 'multitude' (which is Hobbes's own equivalent in both *Elements of Law* and

this false impression. In *The Sleeping Sovereign* however, Tuck corrects this earlier translation.¹¹

For Hobbes, a “multitude” should be considered not from a physical or a sociological perspective but from a logical one: a “number of men,” in Latin “plures homines,” is, first of all, a collective name, the name of a plurality. The logical dimension of the Crowd Problem is well established in *De Cive*: “Because crowd [*multitudo*] is a collective word, it is understood to signify more than one object, so that a crowd of men is the same as many men. Because the word is grammatically singular, it also signifies one thing, namely a crowd” (*On the Citizen*, VI.1, annotation, 76). The fact that “crowd” is a collective word is a source of philosophical error: since we have one word to denote a crowd, we are tempted to think, erroneously, that the reality named after this one name has something of the unity to it, and that a crowd is a single entity. But Hobbes insists that it is not the case: since a plural name is the name of a plurality, the word “crowd” (“*multitudo*”) is the name of a plurality of men. If we go too quickly on this we will not see the nature of our error, which is at first a linguistic one, that leads to a false ontological conclusion. This nominalistic approach is certainly something that makes Hobbes’s views on crowds both extremely stimulating and somewhat strange to a contemporary reader, who is more used to a psychological or sociological approach.

The second aspect of the Hobbesian Crowd Problem is psychological: since a plural name is the name of a plurality, a multitude of men will mean “many men.” While a sociologist would consider what is common to the whole crowd (in a holistic perspective), Hobbes insists that the individuals gathered in the crowd be considered as separate psychological beings.¹² Since human individuals are agents, what makes them separate psychological beings is their distinct wills and judgments.¹³ In the crowd, each “has his own will

Leviathan). *Multitudo* is the key word of plurality. But it is more than numerical. A multitude becomes *unus* by effecting an *unio* (V.1–11, especially 9); and in this contrast with *unus* and *unio*, multitude carries an implication of disorder (made explicit in some contexts by the phrase *dissoluta multitudo*, e.g. VII.5). We have felt therefore that merely to stress the plurality of multitude by using some such phrase as ‘a number of men’ was inadequate, and we have attempted to convey the other connotations of the word by using ‘crowd’ (cf. vi.1 and note)” (Tuck and Silverthorne, editors’ introduction to *On the Citizen*, xl–xli). The translators once in a while use “a number of men” and “crowd,” and sometimes just “number.”

¹¹“I have replaced the term *crowd* in our translation with *multitude*, to bring it clearly into line with the terminology used elsewhere by Hobbes and Pufendorf, and possibly by Grotius” (Tuck, *Sleeping Sovereign*, 97n31).

¹²Psychology here refers to a theory of faculties, with two principal faculties, will and judgment.

¹³Since the will is determined by desires and aversions, and the latter by opinions about what is good or bad, one can say that judgments are part and parcel of the formation of the will.

and his own independent judgement about every proposal" (*On the Citizen*, VI.1, 75). Will and judgment are what makes those individuals agents, and what characterizes those agents is precisely their separateness: even in a crowd in the ordinary sense of the word agents have their "own will" and "independent judgement." Whatever impression to the contrary, each individual in the crowd is only acting for himself with a will and judgment of his own, and is not guided by another's will and judgment. The commonsense view would object to this thesis, since it has it that there is a harmonization of will and judgment in corporate bodies. But Hobbes makes us aware of strong logical biases that proceed not from the observation of facts but from the structure of language: collective names such as "crowd" make us wrongly believe that they refer to a single entity, and common sense shares that belief. Hobbes wants us to reflect critically, as a nominalist logician would do, on the way language influences our thinking, and sometimes produces erroneous ways of thinking.

Hence, for Hobbes, it would be a logical error to attribute to a crowd any group psychology. Not only are the members of a crowd simply many individuals in a single location, but those individuals cannot be associated from the start with any common will and judgment which would make them a single collective agent. They do share one common feature, but this is a wholly negative one: the fact that they are not subjected to another's will and judgment. If Hobbes wished to insist on the unity of this plurality, he would say that the individuals share, maybe on one or two proposals, a common will and judgment. But he wishes to insist on the opposite. Indeed, one could object to Hobbes's argument that individuals in crowds surely always have several attributes in common, such as language, history, or mores, but, for Hobbes, these attributes do not suffice to form a common will and judgment. What is required to cease being a multitude (in the above sense) is a common will and judgment, and Hobbes's idea is that such a will and judgment cannot exist before the formation of the state. The logical analysis of the collective name "crowd" prepares the way for the justification of the state as the condition for all collective human entities. Here again, common sense would object and claim that there can be such collective entities, such as families, before the state. Hobbes admits that there were families before what he calls the state: sometimes he says that there are families in the natural condition, sometimes he says that families might be considered as states proper if they are big enough. The truth is that his thesis is not entirely settled on that point.¹⁴

Since Hobbes knows that logical considerations will not convince all readers, he also has two other arguments to prove that crowds do not exist as collective entities. First, a crowd as such, in its definitional plurality, has

¹⁴See Kinch Hoekstra, "Hobbes on the Natural Condition of Mankind," in *The Cambridge Companion to Hobbes's "Leviathan,"* ed. P. Springborg (New York: Cambridge University Press, 2007), 118.

no rights of its own, and therefore cannot have property of its own, since property is the right of a person to something: “Although each man has his own *right* and *property* by particular contracts, so that one man may say of *one thing* and another of *another thing* that it is his own, there will be nothing about which the whole crowd, as a *person* distinct from every individual, can rightly say, this is *mine* more than *another’s*” (*On the Citizen*, VI.1, 75).¹⁵ Since they come from private law, rights, and property rights in particular, are associated with separate persons. The function of contracts is to establish a distinctive link between an identifiable person and a separate thing. But a crowd has no individual personality to which something could be attributed as its own. Therefore, a crowd cannot own anything.

Second, a crowd is not an agent, since no action can be attributed to it as its own: “Nor is there any action which should be attributed to the crowd as *their action*; but (if all or several of them reach an agreement) it will not be one action but as many actions as there are men” (*On the Citizen*, VI.1, 75–76). Since individuals in crowds act according to their own wills and judgments, no one can be said to own the action of the crowd. Even if the people claim to have reached an agreement, there is no more in a crowd than the various actions of distinct individual agents. What must be added to those agreements to give them actual validity is the authorization of the sovereign. Without prior authorization, agreements between men in a crowd are void, and, without proper agreements, there is no agent who could be said to act in their name. For Hobbes, a crowd remains a distinct plurality as long as there is no authorization of it by the state.

We have considered three separate arguments: the first is that though the word “crowd” is a collective word, there is no collective dimension in a crowd—it is but a plurality of men, each retaining his own will and judgment; the second is that since a crowd can have no right, and in particular no property right, it is not a collective entity; and the third is that since a crowd can never be a group agent, it is not a group entity. Taken together, these arguments show that since no right or singular action can be attributed to a crowd, there can be no group personality in the local gathering of individuals. Hobbes’s argument is that there are neither group rights nor group actions in crowds as long as these crowds have not been turned into regular legal associations by the authority of the state. What comes as a surprise to the contemporary reader is that Hobbes’s interest in crowds is neither sociological nor psychological but philosophical: How can we attribute agency to a plurality of men? We are no longer used to considering crowds in such a philosophical way: we tend to forget that “crowd” is a collective word that gives an

¹⁵According to Michael J. Green, Hobbes “assumes that the ability to acquire or transfer a right is a necessary condition of having rights and so he believes that the multitude’s inability to act means that it is incapable of having rights of its own” (“Corporate Persons without Authorization,” in *Hobbes’s On the Citizen*, ed. R. Douglass and J. Olsthoorn [Cambridge: Cambridge University Press, 2020], 148).

appearance of unity to a plurality of persons; we also tend to forget, although our institutions are governed by law, that crowds exist in a juridical order that makes them either an authorized (such as a demonstration can be) or an unauthorized gathering (when a gathering of people is seen as a danger by the sovereign). To introduce this juridical dimension of Hobbes's approach to crowds, section 2 considers a philosophical distinction that plays a central part not only in Hobbes's but also in many other political philosophies: What does it mean that a crowd is not a people? When we see a crowd gathering in front of a public assembly, however numerous it might be, should we consider it as the people? That is precisely the political situation, that of a "great rebellion" (*On the Citizen*, VI.1, 76), that Hobbes has in mind when he introduces the distinction between "crowd" and "people" in the first edition of *De Cive*.¹⁶

2. A People Is Not a Crowd

In a remark on the word "multitudo" in *De Cive* VI.1 Hobbes gives a very strong formulation of his political problem in general, which has, according to him, been misunderstood by the readers of *De Cive*'s Paris edition.¹⁷ How could a state have authority over its citizens if a state is simply an aggregate of citizens acting together? To solve this problem, Hobbes suggests that we start with a distinction between "multitudo" and "populus": "The doctrine of the authority of the Commonwealth over the citizens depends almost entirely on a recognition of the difference between a crowd of men ruling and a crowd being ruled" (*On the Citizen*, VI.1, annotation, 76). The term "multitudo," translated here again as "crowd," is often applied indifferently to those who are ruling and those who are ruled. But if a crowd is ruling the commonwealth, how can it also be subject to it? Of that difficulty, central to modern political thinking, Hobbes gives a clear formulation: "For the nature of a commonwealth [*civitas*] is that a crowd [*multitudo*] of citizens both exercises power and is subject to power, but in different senses" (*On the Citizen*, VI.1, annotation, 76). Rousseau will develop this idea in a republican way, but Hobbes does not, despite his ambiguous use of the term

¹⁶Published in 1642, this edition bore a title mentioning that the book was the third part of his general philosophical system (including a first part, *De Corpore*, and a second, *De Homine*). As the first two parts had not appeared when the second edition of *De Cive* was published in 1647 in Amsterdam, Hobbes changed the full title to *Elementa philosophica De Cive*. All the remarks (*annotationes*) were added to the second edition to clarify the meaning of the main text. Since we have a remark on "multitudo," in the 1647 edition, it means that something was not clear to some readers in the use Hobbes made of the notion in 1642, but we do not know who those readers were.

¹⁷Though not ignored, that distinction has not been emphasized by modern commentators.

“commonwealth.”¹⁸ But, in the two authors, the problem remains basically the same: What is political obligation when the same persons have the right to command but also the duty to obey? In Hobbes’s view, the distinction between the two faces of a multitude is valid for every regime, not only for the republican sort. Just as Rousseau makes government by law a characteristic feature of republics,¹⁹ so Hobbes considers the distinction between multitude and people to be part of the general structure of any state (*civitas*) whatever its mode of government. On its political side, the Hobbesian Crowd Problem thus has far-reaching philosophical consequences, since it also relates to the cardinal question of political obligation: How can there be political obligation in a state if it is formed by a crowd of people who are both sovereigns and subjects?

The solution lies in a distinction of two meanings of “crowd” (“multitudo”) from the passage cited above: “For the nature of a commonwealth is that a crowd of citizens both exercises power and is subject to power, but in different senses” (*On the Citizen*, VI.1, 76). The entities considered are actually the same, yet the aggregate of citizens takes on a different meaning when considered as a “crowd ruling” or as a “crowd being ruled.” To avoid the confusion between those two meanings of a “crowd of citizens,” one solution is to rename one, so that the different names indicate the difference in meaning. This is the answer Hobbes offers to address the misunderstandings which followed from what he wrote about crowds in the 1642 edition of *De Cive*, chapter VI:²⁰ “A distinction must therefore be made” (*On the Citizen*, VI.1, 76).

¹⁸The ambiguity is due to the fact that “commonwealth” is sometimes taken as synonymous with “state,” and sometimes can be heard as the short name of the republican regime put in place in England after the death of Charles I, and known as the Commonwealth of England, Scotland, and Ireland (1649–1660). Concerning the proximity of Hobbes to Oliver Cromwell, and the ideological meaning of his reference to the Commonwealth of England, the mainstream interpretation is that, despite sharp critiques from the royalist camp after the publication of *Leviathan*, Hobbes remained throughout his life a partisan of monarchy: see, e.g., A. P. Martinich, *Hobbes: A Biography* (Cambridge: Cambridge University Press, 1999), 214, 296, 319–22; Samuel Mintz, *The Hunting of Leviathan* (Cambridge: Cambridge University Press, 1958), 45–46. For the alternative interpretation that Hobbes was in favor of the English Commonwealth, notably for ecclesiastical reasons, see Jeffrey Collins, *The Allegiance of Thomas Hobbes* (Oxford: Oxford University Press, 2005).

¹⁹Jean-Jacques Rousseau, *The Social Contract*, trans. H. J. Tozer (Ware: Wordsworth, 1998), II.6, 38: “I therefore call any state a republic which is governed by laws, under whatever form of administration it may be; for then only does the public interest predominate and the commonwealth count for something. Every legitimate government is republican.”

²⁰“I thought I had given a good account of the difference in this first section [*De Cive*, VI.1]. But I see from the objections many have brought against the sections which follow, that this is not so. So I have decided to add a few words to give a fuller explanation” (*On the Citizen*, VI.1, annotation, 76). The misunderstandings about what “crowd being ruled/ruling” means appear in the following sections of chapter

The solution is to keep the name “crowd” (“multitudo”) only for a “crowd being ruled,” and to use the name “people” (“populus”) when talking about a “crowd ruling.” The people, then, is the commanding side, the crowd the commanded one. The point, though, is grammatical: “Whenever we say that a People or a number [of men] is willing, commanding or doing something, we mean a commonwealth which is commanding or doing something, we mean a commonwealth which is commanding, willing and acting through the will of one man or through the wills of several men who are in agreement” (*On the Citizen*, VI.1, annotation, 77). The name “crowd” is at once a description of the state of individuals who are not politically united and a description of the state of individuals politically united under a common will and judgment when considered not as a ruling power but as subjects being ruled. The distinction between “subject” and “sovereign” is essential to *De Cive’s* argument since the crowd, or multitude, appears as the flip side of sovereignty, the subjects united as a people without whom there is no sovereign. A subjected crowd is what a sovereign requires to be sovereign in the first place.

To sum up, there is a strong political sense of “crowd,” when it designates all the citizens considered as subjected to a unique sovereign, an obedient crowd that abides by the law and follows the will and judgment of its sovereign. What is of concern to Hobbes is how a crowd can be subjected, and more generally how a diversity of natural persons can remain subjected to a common sovereign. Well aware of the political and religious turmoil going on in his historical moment, he wonders how the subjected crowd can remain obedient. Although Hobbes does not elaborate on this concept in *De Cive*, the idea is quite clear: a crowd is a subjected multitude held together in peace and obedience by a sovereign, and the sovereign is the people—which is not the same, obviously, as the democratic idea that the people is the sovereign. Hobbes explains how a multitude formed by individuals having different wills and judgments becomes a subjected crowd endowed with a common sense of obedience to a common power, and this requires, according to him, a theory of contract.

3. Crowds, Contracts, and Representation

The transition from a crowd to a state can, according to Hobbes, only proceed from the wills of the individuals composing the multitude: their belonging to a multitude has no political meaning before the multitude has been transformed by contract into a state. The centrality of the will is characteristic of

VI. The annotation on the word “absolute” (*On the Citizen*, VI.12, annotation, 83) is answering an objection to absolute power raised by what Hobbes would consider a misunderstanding of his analysis of “crowd.”

Hobbes's contractarian approach to the state in *De Cive*. The transformation of a disunited multitude into a subjected crowd relies either on agreements to submit to one person or to one group of persons, or on reciprocal agreements among the individuals of the crowd to agree to what the majority decides: "if the same crowd individually agree that the will of some one man or the consenting wills of a majority of themselves is to be taken as the will of [them] all, that number then becomes one person; for it is endowed with a will, and can therefore perform voluntary actions, such as command, make laws, acquire and transfer a right, etc., and is more often called a people than a number [*multitudo*]" (*On the Citizen*, VI.1, annotation, 76–77). The act of agreeing is present in all those situations, either horizontally, each with each agreeing to follow majority rule²¹ or the command of one person, or vertically, each with the person in charge of commanding (that can be an assembly).

In order to simplify the formulation of the crowd/people problem, *Leviathan* introduces a new use of "person" and "personification," which we now associate with the notion of representation, to explain how a crowd can become one person: "A Multitude of men, are made *One Person*, when they are by one man, or one Person, Represented; so that it be done with the consent of every one of that Multitude in particular" (*Leviathan*, XVI.13, 248).²² Runciman points out that "the authorization of the sovereign by a 'multitude' of natural individuals makes the representation of the state possible, but is neither equivalent nor reducible to it." I agree that "the concept of representation [and not the concept of authorization] made it possible to separate out the state from the multitude," but not that "for the people to assume a collective identity required that they be represented as though they were a single person, not a series of separate individuals."²³ It seems to me that Hobbes cares for the unity of collective agency, but not so much for collective identity. The important move made in *Leviathan*, as opposed to *De Cive*, is to say that the only way to introduce unity in a crowd is to have the crowd represented by one person: "For it is the *Unity* of the Representer, not the *Unity* of the Represented, that makes the Person *One*. And it is the Representer that beareth the Person, and but one Person" (*Leviathan*, XVI.13, 248). A crowd can be one only if its members agree to be represented.

²¹On the centrality of majority rule in Hobbes, see Luc Foisneau, "La démocratie à rebours: Hobbes et la règle de majorité," *Le Philosophoire: Laboratoire de philosophie* 39, no. 1 (2013): 133–85, repr. with modifications in Luc Foisneau, *Hobbes: La vie inquiète* (Paris: Gallimard, 2016), chap. 1.

²²References are to Thomas Hobbes, *Leviathan*, ed. Noel Malcolm (Oxford: Clarendon, 2012), by chapter and paragraph, followed by page number in this edition. Emphases are in Malcolm's edition.

²³David Runciman, "Hobbes's Theory of Representation: Anti-democratic or Proto-democratic?," in *Political Representation*, ed. I. Shapiro, S. C. Stokes, E. J. Wood, and A. S. Kirshner (Cambridge: Cambridge University Press, 2009), 20.

It follows that in *Leviathan* the representative person is the key to the Crowd Problem: a crowd can only be a people if each of its members accepts having a representative, be it a single person or a collective endowed with voting rules.²⁴ Since “crowd” is a collective word, it does not explain how a plurality of natural persons can form a unity; that explanation comes, in *Leviathan*, from the unity of the person that represents the crowd. Whereas in *De Cive* a crowd is a plurality of men subjected, or obliged to a sovereign, in *Leviathan* a crowd is a multitude represented (by one person)—what may be called a represented crowd. In both cases, the crowd and the people are two sides of the same coin. In *De Cive*, the people is the contractual crowd ruling, that is the sovereign, and in *Leviathan*, the people is the representative, that is also the sovereign.²⁵ Otherwise, it means that the word “people” is one of the names of the sovereign. Louis XIV might have said, had he been thoroughly Hobbesian, “I am the people.”

These distinctions are useful to understand that a crowd and a people differ as the two faces of the same coin, but, politically speaking, the problem appears when a fraction of the subjected crowd claims to be the people as such, claims to be sovereign. Is it possible to say in such a case that the people can initiate an open rebellion? After considering the subjected crowd as the basis of the state, we are now in a position to consider it as a risk for the very survival of the state. This problem is the ancestor to a certain extent of what we now call populism.

4. A Hobbesian Theory of Populism: Can a Crowd Ever Act as a People?

In chapter XI of *Leviathan*, Hobbes reformulates, with the help of a Roman example, the difference between “one action of many men, and many actions of one multitude.” The point is, of course, not to take the effects of rhetoric, “the perswasion of one,” for the legal foundation of the personality of the State:

From the same [ignorance of words] also it proceedeth, that men cannot distinguish, without study and great understanding, between one action of many men, and many actions of one multitude; as for example,

²⁴On the role of voting rules in *De Cive* and *Leviathan*, and the difficulty it raises for *Leviathan's* theory of authorization, see Green, “Corporate Persons,” 145–60.

²⁵Concerning the relationship between *De Cive* and *Leviathan*, Karl Schuhmann's assessment is quite convincing: “So it would therefore be wrong to maintain that *Leviathan* is radically different or a great departure from *De Cive*. The earlier work is the mould out of which the later one is formed” (Karl Schuhmann, “*Leviathan* and *De Cive*,” in *Leviathan after 350 Years*, ed. T. Sorell and L. Foisneau [Oxford: Clarendon, 2004], 30). As for the major conceptual difference between the two books, I agree with Schuhmann that “there is one genuine philosophical innovation in *Leviathan*, namely the notion of authorization and the fictitious person in ch. XVI, confirms rather than contradicts this view” (“*Leviathan* and *De Cive*,” 31).

between the one action of all the Senators of *Rome* in killing *Catiline*, and the many actions of a number of Senators in killing *Caesar*; and therefore are disposed to take for the action of the people, that which is a multitude of actions done by a multitude of men, led perhaps by the perswasion of one. (*Leviathan*, XI.15, 158)

The Roman examples help us to grasp the difference between a legal action done by representatives of the state, such as the Roman senators acting against *Catiline*, and the many unauthorized actions of certain senators against *Caesar*, the representative of the empire. In the first case, there is only a single action being accomplished by many men; in the second, there are many actions done by a crowd of men. The difficulty in understanding the distinction is due to the fact that in both cases the actors are members of the Roman senate: if one group had been made up of senators and the other group of ordinary citizens, the difference would be easier to grasp. But the choice of examples is telling: being a senator is not enough to authorize every kind of action. The general Hobbesian rule is that a people, that is, a sovereign, cannot act against itself: senators killing *Caesar* are acting against the sovereign, thus not as senators, members of the sovereign, but as natural persons. The error, therefore, is to consider a "multitude of actions done by a multitude of men," or a multitude of actions done by officials of the state, as equivalent to the single action of one people. At a time like ours when populism is thriving, Hobbes's distinction is very useful: many people getting together to invade a public building, for example, should never be considered as the legitimate voice of the people. The logical distinction between a people acting as one person and a crowd acting as several persons is helpful for analyzing concrete political cases of rebellion. The Hobbesian position is that there is no collective action to be found in a rebellious throng, merely the separate actions of distinct individuals acting on their diverse wills on the basis of distinctive judgments.

To hammer his conclusion home, Hobbes says that what claims to be a collective action is but many actions taking us back to the state of nature: "in a crowd which has not yet coalesced into one person in the way we have described, the *state of nature* persists, in which *all things belong to all men*. *Mine and Yours* (whose names are *dominion* and *property*) have no place there, because there is as yet none of that security which we showed above was a prerequisite of the practice of the *natural laws*" (*On the Citizen*, VI.1, 76). This reference to a state of nature may seem excessive, but is quite enlightening: if the state of nature is what Hobbes says it is, the gathering of rebellious people can only be very fragile since there is no condition of security to keep them all together. In a rebellious movement, as the multitude has not yet formed one person, there are no security conditions for moral laws to apply to the members of the multitude. So far the rebellious throng is itself a sign of the resurfacing of the state of nature.

But there is a second, cognitive level of analysis that should be taken into consideration if we want this distinction to help us to better understand

political situations: this has to do with the reasons why it is often difficult for citizens to make the distinction between one action of many men and several actions of many men. If you have been moved as a “multitude” by the “persuasion of one,” it will be difficult to recognize that there is nothing collective in your action. What happens in populist movements is that the passions of the crowd make people forget that the crowd’s action is only an illusion. This is so, even though the many acting together against the person of the state rename their throng “the people,” and do so as if the legal crowd, subjected to electoral laws (in the case of a constitutional democracy), is no longer submitted to the sovereign.

The role of rhetoric in this deep error is obviously central, and contemporary mass media have contributed to expanding the realm of rhetoric far beyond its traditional frontiers. The basis of the error is a misunderstanding of what state action is, and the difference between the latter and what the passions of a multitude are when moved by an orator. A crowd can never produce a unique action when it has not been transformed into a state, or authorized by the state. The demagogue claiming to speak in the name of the crowd is simply using rhetoric. In the case of the January 2021 attack against the Capitol in Washington, DC, for example, the situation was complicated by the fact that the demagogue behind the scene was the president of the United States, who did not accept having lost an election. This case is very similar to the example given by Hobbes about the Ides of March: just as the senators gathering to kill Caesar were Roman senators who were not acting as members of the Roman senate, so Donald Trump, in encouraging an attack on Congress on the day it was confirming his electoral defeat, was no longer acting as the president of the United States, though still the president in office.

Hobbes applies his logical distinction to the English civil wars of the 1640s:

For despite the fact that it is commonly said of some great rebellion that the people of the commonwealth has taken up arms, it is only true of those who have actually taken up arms or are in league²⁶ with them. For a *commonwealth* which is one person cannot take up arms against itself. So whatever is done by a crowd must be understood as being done by each of those who make up that crowd. And someone who is in that crowd but has not approved or supported what has been done must be regarded as not having done it. (*On the Citizen*, VI.1, 76)

Although a difficult and sometimes desperate task, it is the philosophers’ task to strengthen logical truth in the face of rhetorical lies. Logic exists to correct common ways of speaking when they become misleading. What is at stake in this quotation is the correct use of the term “people,” or “populus,” when

²⁶On the use of the term “league” by Hobbes: “For a League being a connexion of men by Covenants, if there be no power given to any one Man, or Assembly (as in the condition of meer Nature) to compell them to performance, is so long onely valid, as there ariseth no just cause of distrust” (*Leviathan*, XXII.28, 370).

someone says that “the people of the commonwealth has taken up arms.” “People” cannot be equated in this case with “multitude” without qualification. As we have already seen, a people can only exist for Hobbes when a state has been formed, and the state has been formed when a person is representing it.²⁷

Rebels often pretend to represent the people, and their main revolutionary argument is that the present government is not the true representative of the people, and that they, the rebels, are.²⁸ Hobbes’s objection to the rebels’ claim is that it is a logical contradiction to say that a people could act against the person of its representative, since it would be acting against itself. Hence it is not possible to say that the rebels would be a part of the people, not even the *sanior pars*, fighting in the name of the people itself. The alternative would be to see the people as a mere collection of parts, each sharing in the legitimacy of the whole. Such an idea of a people is simply not allowed by Hobbes’s theory of representation, which knows only separate individuals in an unauthorized crowd, or the people as a unified person.

In the case of a “great rebellion” such as the English Civil War, the people cannot properly be said to have taken up arms against the king. Since the king (in Parliament) is the representative of the state, it is a contradiction in terms to say that the people is entitled to attack the king. What happens, then, when a “crowd” of people attack their sovereign is not so much that the “people” attack him, her or them, but that some separate individuals forming a “crowd” attack the sovereign, that is the people. The crowd attacking the sovereign is not, therefore, the true people, but a crowd falsely claiming to be.

Therefore, what kind of multitude could there be where there has been no authorization by the state of such a gathering? Hobbes reformulates this question in legal terms and his answer is very clear: there can be no collective responsibility as far as rebellions are concerned; the responsibility of rebels cannot but remain individual. One legal implication is that if you happen to be caught in the midst of a rebellious crowd without any desire of being part of it then you cannot be held responsible for what happens. And, by contrast, if you are involved then you will be treated by the state as a criminal or even as an enemy. Your responsibility, however, is very different if you are acting as part of a people. When the people acts, the action can be attributed

²⁷Representation here is not equivalent to what we have in mind when talking about it in a democratic and liberal way, where it implies abiding to constitutional rules.

²⁸On the difficulties of seizing what “people” actually means in early modern England, see Buchanan Sharp, *In Contempt of All Authority: Rural Artisans and Riot in the West of England, 1586–1660* (Berkeley: Breviary Stuff Publications, 1980), 1–10; Steve Hindle, *The State and Social Change in Early Modern England, c. 1550–1640* (New York: St. Martin’s, 2000), 35, 231–38; Andy Wood, *Riot, Rebellion and Popular Politics in Early Modern England* (New York: Palgrave, 2002), 48; David Rollison, *A Commonwealth of the People: Popular Politics and England’s Long Social Revolution, 1066–1649* (Cambridge: Cambridge University Press, 2010), 12.

to all the individuals as citizens. Whether or not citizens would consider a people's action as right or wrong *in foro interno*, the action of the people in this sense is necessarily supposed to be right. In a rebellion, the individual will is considered by Hobbes to be separate; in any other circumstance, it is considered as authorizing the will of the people.

We have seen that the people as representative of the state can never be a risk for the very survival of the state, and that rebellion is always due to a bunch of individuals misguided by a demagogue. One might argue against Hobbes's individualist approach to crowds that spontaneous collective actions are not just individual actions put together but a genuine collective action driven by common passions. In the next section I examine Hobbes's reasons against crowd psychology, and why, in particular, he considers that there cannot be any collective passions, despite a common sense view to the contrary.

5. Against Crowd Psychology

The main consequence of Hobbes's critique of the grammatical fallacy in understanding collective action is that there cannot be psychological or sociological crowds. If crowds cannot have personalities of their own, they cannot have bodies and minds of their own, either. But this thesis is not obvious: it has against it the commonsense view that in crowds we are behaving in a different way, because we are experiencing collective passions. The case of panic terror comes immediately to mind when we look for an example.

Though panic terror seems to be a collective phenomenon since it takes place when a multitude of people is gathered, for Hobbes its psychological mechanism remains persistently individual:

Feare, without the apprehension of why, or what, [is what we call] PANIQUE TERROR; called so from the Fables, that make *Pan* the author of them; whereas in truth, there is always in him that so feareth first, some apprehension of the cause, though the rest run away by Example; every one supposing his fellow to know why. And therefore *this* Passion happens to none but in a throng, or multitude of people. (*Leviathan*, VI.37, 86)

Panic terror happens to individuals while they are in a throng, but the crowd itself has no passion of its own. The individual passion is based on a false inference that the other people running have a knowledge of the cause of their fear when, in fact, they do not. Except the first who flee, nobody knows what danger they want to escape. Despite its reference to a crowd, panic terror remains the passion of an individual. There is therefore no need, from a Hobbesian perspective, to attribute a mind to a crowd because a crowd is the site of the manifestation of certain passions.

Another example shows what use Hobbes makes of crowds in his theory of passions:

Though the effect of folly, in them that are possessed of an opinion of being inspired, be not visible always in one man, by any very extravagant action, that proceedeth from such Passion; yet when many of them conspire together, the Rage of the whole multitude is visible enough. For what argument of Madnesse can there be greater, than to clamour, strike, and throw stones at our best friends? Yet this is somewhat lesse than such a multitude will do. For they will clamour, fight against, and destroy those, by whom all their life-time before, they have been protected, and secured from injury. And if this be Madnesse in the multitude, it is the same in every particular man. (*Leviathan*, VIII.21, 112)

The point of this quotation is to defend a thesis the very opposite of Le Bon's main contention in his psychology of crowds.²⁹ Whereas Le Bon claims that crowds have passions of their own which transform individual personalities, Hobbes argues that crowds serve as a magnifying glass that reveals only those passions already occurring in the minds of individuals. In the case of a crowd of fanatics driven by the conviction that they are inspired by God, what the crowd reveals is the nature of the passion of each of the participants. The force of the passion does not appear so clearly in the individual alone, who might be hiding what he actually feels or thinks for whatever reason, but in the crowd, it manifests itself in all its violence: "the rage of the whole multitude is visible enough" (*Leviathan*, VIII.21, 112).

The passions which animate a furious crowd are not actually the product of the crowd itself but rather the expression of what is going on in the minds of individual protesters. No specific psychological phenomenon is produced by the gathering of the crowd, but the crowd helps us see what is independently going on in the mind of its members. What is going on, in the case of a fanatic gathering, is an excessive passion, or madness, in each of the fanatics: "though wee perceive no great unquietnesse, in one, or two men; yet we may be well assured, that their singular Passions, are parts of the Seditious roaring of a troubled Nation" (*Leviathan*, VIII.21, 112). Hobbes's comparison with the sea adds an epistemological dimension to this example: "in the midst of the sea, though a man perceive no sound of the part of the water next him; yet he is well assured, that part contributes as much, to the Roaring of the Sea, as any other part, of the same quantity" (*Leviathan*, VIII.21, 112).³⁰ That analogy is characteristic of Hobbes's conception of a crowd as a magnifying glass: when considered singularly, a man's crazy ideas may seem innocuous; when active in a furious crowd, they suddenly appear for what they are: a major danger for the political community. Fighting against that danger requires education of the citizens, and in particular a political education so that they are capable of making the distinction

²⁹Gustave Le Bon, *Psychology of Crowds* (Southampton: Sparkling Books, 2009).

³⁰Cf. Leibniz, *Nouveaux essais sur l'entendement humain*, ed. J. Brunschwig (Paris: Flammarion, 1990), 41–42. A first formulation of this interpretation is to be found in L. Foisneau, *Hobbes: La vie inquiète*, 137–38.

between what their passions have them do, and what they should be considering as their political obligation to the state. The solution to sedition is early civic education on the basis of Hobbes's doctrine.

6. What Kind of Association Is a Crowd?

Since Hobbes does not give credit to crowd psychology to explain how fanatic crowds can act *fanatically*, he is left with a rational pedagogy as a possible solution to sedition, and a juridical approach to crowds to give the sovereign the intellectual means to distinguish between those that should be allowed and those that are a danger to social peace. The main question that remains, then, is: What is a juridical perspective on a crowd? And, juridically speaking, are there several types of crowds or only one?

Although Hobbes considers in the first place the subjected crowd as the flip side of the people (section 2), crowds for him are not just multitudes in general. He also has a theory about what we more commonly call crowds, that is, a limited number of people among the general citizenry who gather together. This conception of crowd is rendered by the English expression "concourse of people," in Latin "concurus Populi." To understand what a crowd is for Hobbes, one of the challenges is to situate it within the more general theory of "systemes," by which name he understands "any numbers of men joined in one Interest, or one businesse" (*Leviathan*, XXII.1, 348). The general definition of a "system" is based on the notion of number, and a crowd, to a certain extent, is just a number of people. That is the reason why there is a strong connection between the two senses of "crowd": in the first sense, a crowd encompasses all the citizens, whose general interest is to form a political entity; in the second sense, a crowd is a limited number of citizens, whose interests may well be diverse, and whose characterization is to be found in Hobbes's general theory of systems.

The first characteristic of a crowd is that it is an "irregular" system for which no representative can be identified. Whereas a regular system can be represented either by an assembly of men or by one man, an irregular system is a number of men having a common interest or a common business, and who, for that reason, assemble: "Irregular systemes, are those which having no Representative, consist only in concourse of People" (*Leviathan*, XXII.4, 348). But the expression "irregular" does not mean that "irregular" gatherings are contrary to the legal order. What would make an "irregular system" unlawful would be if it were based on an "evil design" (*Leviathan*, XXII.4, 348), a design contrary to the interest of the state. But an irregular system can also be authorized by the state when the intentions of the participants are not evil, "such as are conflux of People to markets, or shews, or any other harmeless end" (*Leviathan*, XXII.4, 348). The only thing that can change a harmless end into a dangerous gathering is the size of the crowd: "if the number be considerable" (*Leviathan*, XXII.4, 348) there might be a risk in

allowing the “concourse of people,” although the end itself might not be bad, such as going to a show or a market place.

A theory of the crowd, in the present sense, is thus a political theory about the danger of allowing massive numbers of men to gather together. Such a theory must be based on the magistrate’s capacity to interpret the intentions of the persons that make up a crowd on various occasions, since a “concourse of people” is based on “a similitude of wills and inclinations” (*Leviathan*, XXII.27, 370). But there is no general rule: the intention of the participants can only be “understood by the occasion” (*Leviathan*, XXII.27, 370), and what is important is the fact that individuals in the crowd remain those who know about its real intentions, and those who must be held responsible in the last resort. The intention often depends on the “occasion”: if people gather in a church, their intention is made obvious by the nature of the meeting place, as long as the numbers are reasonable for such an occasion. When East German citizens met in Nicolai Church in Leipzig before the fall of the Berlin Wall in 1989, the Communist regime could see in this concourse of people far more than a religious occasion for peace prayer, and rightly so. Hobbes stresses the relevance of the number of people in the determination of the “design,” or intention of the participants: “For if the numbers be extraordinarily great, the occasion is not evident; and consequently he that cannot render a particular and good account of his being amongst them, is to be judged conscious of an unlawfull, and tumultuous designe” (*Leviathan*, XXII.32, 374). He adds the following condition: “But in such cases as these, it is not a set number that makes the Assembly Unlawfull, but such a number, as the present Officers are not able to suppress, and bring to Justice” (*Leviathan*, XXII.32, 374). The number of a crowd becomes a danger when the representative of the security of the state deems it to be so. The example he gives of a petition to be delivered to a judge or a magistrate is political through and through: if the petition is brought by one or two people, it is lawful, but not so if the whole crowd is forming a “tumultuous Assembly” (*Leviathan*, XXII.32, 374), thus threatening by its number the magistrate to whom the petition is being brought. This gives us a clear indication about what makes a crowd permissible, or not: its relationship to the legal authorities, and the fact that it would not participate in a rebellious movement.

Conclusion

Hobbes develops a political ontology in which it is essential to be able to distinguish between a disunited plurality of individuals and a unity of those same individuals within a state. If one ascribes a unity to the multitude prior to the contract between the individuals, one misses the point of the true unity of the state, while any crowd could claim to be a state. Although panic terror seems to indicate that there are passions that can only develop within crowds, Hobbes opposes by anticipation the view of crowd

psychology according to which there could be something greater in the passions of crowds than there already is in the minds of the individuals involved. When a body politic goes astray—the January 2021 attack on the Capitol in Washington, DC, is a good example—it is not the fault of the crowd but of the individuals who constitute it, who may well be driven by an evil design. But there is a genuine place in a peaceful state for lawful crowds, since a crowd is also a “concourse of people” with valuable projects, when it takes place in normal circumstances such as a marketplace or a show.

Therefore, one major characteristic of Hobbes’s theory is that it considers crowds not from the perspective of a collective psychology but from a decidedly legal and political perspective. Well aware that crowds can be dangerous for states, and maybe even the major source of political danger, Hobbes provides us with a typology of associations, or “systems,” that tells us when a crowd should be allowed, and when forbidden. This typology is one of the practical elements of *Leviathan*, both a source of advice for sovereigns and an indication of what kind of behavior people should have when they get together in the public sphere.