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Review of Carolin Schäfer, *'Authority' in Ordnung und Aufruhr: Der
Autoritätsdiskurs während der Englischen Revolution und des Interregnums*

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CAROLIN SCHÄFER, *'Authority' in Ordnung und Aufruhr: Der Autoritätsdiskurs während der Englischen Revolution und des Interregnums, Ancien Régime, Aufklärung und Revolution*, 47 (Berlin: De Gruyter Oldenbourg, 2021), ix + 398 pp. ISBN 978 3 110 65900 9. £72.50

The basic premise of Carolin Schäfer's Ph.D. thesis, completed at the Martin Luther University Halle-Wittenberg, is that 'authority' was a core concept in the English conflict of the 1640s and 1650s, and one that researchers have hitherto neglected. Connecting and building upon the methodological approaches of the Cambridge School and of German conceptual history (*Begriffsgeschichte*), she seeks to understand the contemporary discourse of authority by examining not just the meanings attached to the concept, but also its strategic use in specific discursive situations. The focus of her study is Thomas Hobbes, who is often categorized as a theorist of power. Schäfer, however, aims to show that in Hobbes's theory of the state, it is authority, not power, that provides 'the basic template' on which the 'entire political and religious order' is built (p. 9). In line with the approach of the Cambridge School, Hobbes is thus situated in his contemporary discursive context. From this perspective, Schäfer suggests, investigating authority promises to contribute not only to a more accurate political categorization of Hobbes, but also to the study of English republicanism – a hotly debated topic among researchers.

Hobbes's role as the focal point of the book is reflected in its structure. Instead of arranging her material chronologically, Schäfer begins the analytical part of her study in chapter three with a discussion of Hobbes's main work: *Leviathan*, published in 1651. She analyses the book for its use of the concept of 'authority' and separates it from classical tradition, arguing first that Hobbes understands authority as something that emanates from an office and therefore as a legal construct – one that comes closer to the Latin *potestas* than to *auctoritas*. In this form, it applies to the sovereign, as well as to lower secular and clerical officials. This makes it a delegated competence whose source lies outside the individual on whom it is bestowed. In the case of the sovereign, secular authority comes from the individuals who

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collectively comprise the state, and spiritual authority comes from God; with lower officials, authority is derived from the sovereign. However, Schäfer argues, there is a difference between the two forms: the sovereign's authority is limitless and irrevocable, while that of lower officials is conditional and can be withdrawn at any time.

Second, Schäfer suggests that Hobbes uses authority in the sense of reputation, in line with the classical notion of *auctoritas*. This meaning applies to scholars and especially to advisors, and in this context it refers to the recognition of personal qualities rather than to delegated competences. These qualities give rise not to formal rights, but merely to greater chances of exerting influence. Third, she argues, Hobbes writes of patriarchal authority – another kind of formal, legal authority derived from status, not personality. This authority is not delegated by the sovereign, but exists by virtue of nature and customary law. Yet even though the sovereign is not its source, he or she can still restrict or remove it at any time. In any case, Schäfer stresses, Hobbes makes a distinction between authority and power, with the former denoting the legitimacy of the hierarchical order, while the latter simply refers to *de facto* dominance.

Chapter four then supplies the prehistory to Hobbes's chief work. After reconstructing a kind of status quo ante with the help of Tudor and early Stuart royal proclamations, Schäfer traces the dispute over authority into the reign of Charles I and up to the year in which *Leviathan* was first published. The initial understanding of authority in the sixteenth and early seventeenth centuries matches Hobbes's concept of it as derived from a particular office, which he applied primarily to the person of the monarch. Under Charles I, however, this understanding grew unstable – though it was not until 1642 that the confrontation between king and Parliament became a dispute over authority. Even after the war, Schäfer tells us, MPs found it difficult to detach the concept from its association with the monarch and apply it to Parliament instead. In the early days of the Commonwealth, she argues, its defenders were unable to appeal to authority and therefore increasingly took refuge in their *de facto* power instead. During the engagement controversy in particular, the republicans revealed themselves to be apologists for the sheer necessity of having rulers and subjects.

On this basis, chapter five turns to the political categorization of Thomas Hobbes. Schäfer notes that he was in principle a supporter of monarchy and sympathetic towards traditional monarchy. The fact that *Leviathan* could also be used to justify the republic did nothing to change this position, since in Hobbes's view, securing peace and order took precedence over the form of government. And in 1651, the best way to secure peace was to recognize the new rulers in power. Instead of marking a change in its author's political allegiance, therefore, Schäfer argues that *Leviathan* is a concession to reality. She takes a similar view of Hobbes's exposition of the right of conquest, asserting that it represents a one-off argument produced in response to the historical context, but that the establishment of authority by consensus remains the general rule for Hobbes. Furthermore, even in cases of conquest, it is necessary for the ruler's authority to be recognized by his or her subjects. In this way, Schäfer argues, Hobbes incorporates the people as the foundation of his political model while still legitimizing absolute sovereignty.

In an attempt to gauge the impact of Hobbes's ideas, the sixth and final chapter looks at how the concept of authority was used until the end of the Interregnum. In particular, Schäfer detects a clear influence on the republican Marchamont Nedham, who in 1650 had justified the new regime simply by pointing to its superiority in terms of power, but by 1656 showed a new awareness of the need to legitimize its supremacy. She argues that this shift is reflected in Nedham's use of the concept of 'authority', which he defines similarly to Hobbes even while making antithetical arguments to those set out in *Leviathan*. On the whole, however, Schäfer suggests that Hobbes's understanding of authority did not set a new standard. His contribution was not so much to redefine the concept as to refine it, drawing on the traditional, Royalist interpretation of the word. The republican James Harrington, by contrast, took an innovative approach by developing a new understanding of authority based on classical *auctoritas* that stood in clear opposition to Hobbes's definition.

Schäfer's conclusion summarizes what she sees as the key points of her complex study. This provides a general overview of her argument – something that the reader occasionally risks losing sight of due to the non-chronological structure of the book – and is also forcefully

argued. However, despite this clarity, not all of her conclusions are convincing, and in certain places the methodology behind them seems questionable. Three examples will allow me to illustrate this.

First, Schäfer assumes that the meaning of authority was fairly clear in the early seventeenth century (see p. 21). Every study needs a starting point, which must perforce be a constructed one. Yet the decision to limit the scope here to royal proclamations seems questionable to me, or at least in need of explanation, as it means that the conceptual foundation of Schäfer's study reflects the position of only one of the parties to the conflict. The book thus lacks a complementary examination of the Parliamentary side and its own definition of authority; nor is there any analysis of law and custom as normative reference points to which both sides were bound. As a result, Schäfer's account only leaves room for a single version of royal authority that seems quietly analogous to the Bodinian definition of sovereignty as a binary quality that is either entirely present or entirely absent. In my view, however, the early Stuart conflicts between king and Parliament were not as clearly organized as Schäfer suggests. They involved concepts of different authorities as well as of shared or graduated authority, and if the term cannot adequately capture this complexity, it might not be a useful analytical tool. But in fact the phrase 'by authority of Parliament' was used even before 1642, the year Schäfer stresses as a turning point. The notion that this authority was always derived from the king, as Schäfer argues with reference to the Petition of Right (p. 207), is not borne out by the text of the Petition; nor does it seem likely in view of the contemporary debate over the ancient constitution and the origins of Parliament in an oft-conjured 'time out of memory'.

Second, when setting out the aims of her study, Schäfer suggests that her examination of authority will also help to more accurately define English republicanism. Her most incisive contribution on this front is the argument that in the early days of the Commonwealth, popular consent was a much stronger presence in Royalist and absolutist texts than in those authored by republicans—namely, Nedham and Anthony Ascham. She therefore concludes that the 'link between a monarchy and the oppression of the people, and that between a republic and the freedom or participation of the people . . . [must] be reconsidered in light of these examples' (p. 326). This extrapolation

from the specific to the general requires further evidence to support it, in my view. To start with, a definition of republicanism—a term that is highly contested by scholars, as Schäfer herself points out—is needed, which could then be used to categorize the different authors. It is not obvious that Ascham lends himself here as an example.

An explanation of Schäfer's choice of sources is also needed. Are they relevant to English republicanism, the use of authority, or the contemporary political debate? This in turn leads to a need for closer consideration of the intention behind given statements within their specific discursive context. It is true that during the engagement controversy some (though by no means all) authors argued that the existing government—which happened to be a republican one—should be accepted out of sheer necessity, rather than for the sake of republican values. However, this can also be read as a concession to readers in a specific context in which the primary aim was not to win over opponents of republicanism, but to achieve the pragmatic goal of restoring stability to the Commonwealth. It is striking that Schäfer does not consider this possibility, given that in her reading of Hobbes she frequently describes *Leviathan* as a concession to reality. At times, therefore, one has the impression that double standards are being applied. On the one hand, she considers Hobbes's idea of the right of conquest to be an exceptional product of the historical situation (though in my opinion he places authority by conquest on an equal footing with the notion of authority through consensus). On the other, although Schäfer mentions Nedham's assertion that the establishment of a government with the consent of the people or its representatives is a dictate of reason, but not one that applies in times of war, she does not consider it in detail. In fact, she overlooks it altogether when she claims that Nedham rejects the idea of a social contract in principle and instead advocates 'sovereign authority in the form of military supremacy' (p. 324). Hobbes, by contrast, is repeatedly depicted as arguing for a form of popular sovereignty (see in particular p. 372)—but elsewhere in the text this claim is explicitly rejected (p. 330). In short, Schäfer's assertion that Hobbes ascribed 'a significantly higher political value' to the people than Nedham (p. 326), even though in Hobbes's system the people are subordinate to an all-powerful sovereign, is based on a series of doubtful interpretations.

Third and finally, my criticisms of Schäfer's comparative categorization of Hobbes and Nedham are ultimately bound up with my doubts regarding her core argument that authority is central to Hobbes's theory of the state and clearly distinguished from power. In Schäfer's account, although power carried greater weight in the legal vacuum that was the state of nature, it was supplanted by the legitimate form of authority once the state had been founded (p. 45). The design of Schäfer's study forces us to assume that power and authority are terms used by contemporary authors, and not analytical categories that she applies to her sources. If we take this as a given, however, there are two very simple points that speak against the subordination of power to authority. The first of these is simply the frequency with which the two words are used. It is not the case that 'power' appears less frequently in *Leviathan* after chapter fourteen, which describes the sealing of the social contract and thus the end of the state of nature, and that 'authority' appears more often in its stead thereafter. Rather, 'power' remains a key term throughout the entire treatise, and appears substantially more often than 'authority'. Second, the very title of the book suggests that power plays a central role: *Leviathan: Or The Matter, Forme and Power of a Commonwealth Ecclesiasticall and Civil*.

These observations, based on the surface of the text, are also borne out by its content: in chapter thirteen, Hobbes asserts the necessity of establishing a 'common Power'—not authority—in order to overcome the state of nature.¹ In the key fourteenth chapter—in which the word 'authority' does not appear once—he emphasizes that the social contract can only be effective when guaranteed by power. For as chapter seventeen makes clear: 'Covenants, without the Sword, are but Words, and of no strength to secure a man at all.'² Similarly, in chapter twenty-nine, we learn that the duty of obedience comes to an end when sovereigns no longer have the power to protect their subjects. This is by no means to deny that authority takes centre stage in other chapters; however, I do not see any pattern across the book as a whole that supports the argument of a clear distinction between power and authority. In fact, the two terms are often used interchangeably as synonyms, with the adjectives 'sovereign', 'legislative', and 'supreme' applied by turns to

¹ Thomas Hobbes, *Leviathan: Or the Matter, Forme and Power of a Commonwealth Ecclesiasticall and Civil* (London, 1965), 98.

² *Ibid.* 128.

both words. There may nonetheless be complex and subtle differences between the two concepts, but Schäfer would have needed to demonstrate this in order for her readings to be plausible. Yet even if it were the case that 'legislative power' always referred to the force of the law, while 'legislative authority' denoted the legitimacy of the law-giver, the overall argument that power clearly plays a less important role than authority in the functioning of the state would remain unconvincing.

Leaving aside these criticisms, however, Schäfer's Ph.D. thesis has resulted in a book that tackles an important topic and draws on an impressive breadth of source material. She is also unafraid to expand her findings into incisive arguments that encourage readers to go back to the original text of *Leviathan* in order to re-examine their habitual interpretations. Although not every reader will be willing to buy into all of Schäfer's interpretations, her study therefore promises to inspire lively debate.

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