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Difference without Disagreement: Rethinking Hobbes on "Independency" and Toleration

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Abstract: In arguments for a more tolerant Hobbes, *Leviathan*'s endorsement of "Independency" is often Exhibit A; however, the conditionals Hobbes attached have received little attention. These—and the dangers of "contention" and sectarian "affection" they identify—are essential for understanding Hobbes's views on toleration. Together, they express a vision of "difference without disagreement" in which the accommodation of diversity in religious worship and association depends on the suppression of disagreement through sovereign- and self-discipline over speech. This expressly antievangelical ideal of toleration as a civil silence about difference presents a challenge to the more tolerant Hobbes thesis, particularly in its recent "Erastian Independency" guise. It also raises deeper questions about what might be at stake in applying the labels of "intolerant" or "tolerant" to Hobbes today.

I. A More Tolerant Hobbes?

In 1904, Sir Leslie Stephen concluded his book *Hobbes* with a shocking suggestion. For generations of readers, *Leviathan*'s Erastian arguments in favor of the civil sovereign's absolute and arbitrary power over religion had cemented its author's reputation for exemplary intolerance.[1] Yet Stephen insisted that Hobbes was "in favor of complete religious toleration." As evidence, he

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[1]Named after the sixteenth-century theologian Thomas Erastus, "Erastianism" refers to the theological view that the state should be supreme in ecclesiastical and religious matters.

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quoted a neglected passage from *Leviathan*'s final chapter: "so… 'we are reduced to the independency of the primitive Christians,' every man believing what he pleases. This [Hobbes] says, 'is perhaps the best.'"[2]

That Stephen's "tolerant Hobbes" failed to catch on in a century distinguished by totalitarian regimes seemingly determined to convert Hobbesian speculations "into the Utility of Practice" is not surprising. Its recent migration from the fringes to the scholarly mainstream owes much to the rise of contextualist approaches to the history of political thought—not to mention the fall of the Soviet Union. Even so, when Alan Ryan revived Stephen's thesis in the 1980s, his Hobbes was no more than "more tolerant," a *politique* thinker prepared to justify a policy of "religious *laissez-faire*" on prudential grounds as, perhaps, a second best.[3]

Today, however, many political theorists and historians make the case for an even *more* tolerant Hobbes, one for whom toleration was a principled, even "enthusiastic," preference.[4] Among these tolerant Hobbists, some depict Hobbes as an agent of popular enlightenment who saw sovereign discipline and uniformity as necessary means to break the bonds of priestcraft and superstition, with a tolerant society and freedom of thought and inquiry the true endgame.[5] More recently, however, the "Erastian Independency" thesis developed by Jeffrey Collins and Arash Abizadeh

[2]Leslie Stephen, Hobbes (Ann Arbor: University of Michigan Press, 1961), 233.

[3]Alan Ryan, "Hobbes, Toleration, and the Inner Life," in *The Nature of Political Theory*, ed. David Miller and Larry Siedentop (Oxford: Oxford University Press, 1983), 197–218; and Alan Ryan, "A More Tolerant Hobbes?," in *Justifying Toleration: Conceptual and Historical Perspectives*, ed. Susan Mendus (Cambridge: Cambridge University Press, 1988), 37–59.

[4]Richard Tuck, *Hobbes* (Oxford: Oxford University Press, 2002), 30.

[5]Richard Flathman offers a particularly radical statement of this view: "The best of Hobbes's thoughts concerning religion… are gathered in his endorsement, at first sight surprising but in fact consonant with much of what is most admirable in his political philosophy, of the religious freedom and pluralism that obtained in the earliest days of Christianity" (Richard Flathman, *Thomas Hobbes: Skepticism, Individuality, and Chastened Politics* [Lanham, MD: Rowman and Littlefield, 2002], 154). See also Edwin Curley, "Hobbes and the Cause of Religious Toleration," in *The Cambridge Companion to Hobbes's "Leviathan,"* ed. Patricia Springborg (Cambridge: Cambridge University Press, 2007), 309–36; Noel Malcolm, *Aspects of Hobbes* (Oxford: Oxford University Press, 2004); J. Judd Owen, "The Tolerant Leviathan: Hobbes and the Paradox of Liberalism," *Polity* 37, no 1 (2005): 130–48; Richard Tuck, "Warrender's *De Cive*," *Political Studies* 33, no 2 (1985): 308–15; and Richard Tuck, "The Utopianism of Leviathan," in *Leviathan after 350 Years*, ed. T. Sorrell and L. Foisneau (Oxford: Oxford University Press, 2004), 125–38. These arguments build on earlier interpretations. See Leo Strauss, *The Political Philosophy of Hobbes: Its Basis and Genesis*, trans. Elsa Sinclair (Chicago: University of Chicago Press, 1952); and David Johnston, *The Rhetoric of "Leviathan": Thomas Hobbes and the Politics of Cultural Transformation* (Princeton: Princeton University Press, 1989).

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(and building on earlier arguments made by Richard Tuck and Mark Goldie) has been gaining ground.[6] This version of the tolerant Hobbes eschews utopian projection in favor of situating Hobbes historically as a supporter of tolerationist policies available in his day, specifically those associated with the "Independent" party in Parliament in 1651 at the time of *Leviathan*'s publication.

In all of these arguments, the passage from *Leviathan* quoted by Stephen remains Exhibit A. Referred to simply as the "endorsement of independency," it describes England's successive spiritual liberations from the "knots" upon its "Christian liberty"—namely, the Pope, the Bishops, and the Presbyterians:

> And so we are reduced to the Independency of the Primitive Christians to follow Paul, or Cephas, or Apollos, every man as he liketh best: Which, if it be without contention, and without measuring the Doctrine of Christ, by our affection to the Person of his Minister (the fault which the Apostle reprehended in the Corinthians,) is perhaps the best. (L iii.47.1116)[7]

While the word "toleration" nowhere appears, tolerant Hobbists claim that "Independency" implies a significant degree of individual liberty and diversity in religion at odds with the traditional uniformist picture.[8] For proponents of the Erastian Independency thesis, in particular, it represents a smoking gun: a deliberate allusion to the Parliamentary Independents and their relatively tolerant program of established congregationalism, which suspended fines enforcing church attendance and left individuals free to choose among multiple "churches"—independent Protestant congregations—supported by the state.

Not everyone is convinced. The intolerant Hobbes may have fled the field, but for those scholars who favor a *less* tolerant Hobbes, the cautious

[6]See Jeffrey Collins, *The Allegiance of Thomas Hobbes* (Oxford: Oxford University Press, 2005); Arash Abizadeh, "Publicity, Privacy, and Religious Toleration in Hobbes's *Leviathan*," *Modern Intellectual History 10*, no 2 (2013): 261–91; Mark Goldie, "The Reception of Hobbes," in *The Cambridge History of Political Thought*, 1450–1700, ed. J. H. Burns and Mark Goldie (Cambridge: Cambridge University Press, 1991), 589–615; Richard Tuck, "Hobbes and Locke on Toleration," in *Thomas Hobbes and Political Theory,* ed. Mary Dietz (Lawrence: University Press of Kansas, 1990), 153–71; and Tuck, *Hobbes*.

[7]Citations to Hobbes's works are abbreviated as follows: EL = *The Elements of Law, Natural and Politic: Human Nature and De Corpore Politico* (1640), ed. J. C. A. Gaskin (Oxford: Oxford University Press, 2008); DC = *On the Citizen* (1642/1647), ed. Richard Tuck, trans. Michael Silverthorne (Cambridge: Cambridge University Press, 1998); L = *Leviathan* (1651), 3 vols., ed. Noel Malcolm (Oxford: Oxford University Press, 2012); and B = *Behemoth, or the Long Parliament* (1668/1681), ed. Stephen Holmes (Chicago: University of Chicago Press, 1994).

[8]According to Flathman, this passage "go[es] well beyond toleration… . [It] is a celebration of freedom, of pluralism, above all of individuality and individual self-making" (Flathman, *Hobbes: Skepticism, Individuality and Chastened Politics*, 154).

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language—"if" and "perhaps"—suggests this so-called endorsement is lukewarm, at best.[9] Critics of the Erastian Independency thesis note that the passage was deleted in the 1668 Latin *Leviathan* and is at odds with critical statements Hobbes made about Independents elsewhere.[10] They see it instead as a cynical attempt to curry favor with the new regime—exactly as an exiled theorist of de facto conformism with "a mind to go home" should do.[11]

Much scholarly ink has been spilled debating this passage, which makes the lack of serious engagement with the conditionals at the center of it—(1) "if it be without contention" and (2) "without measuring the Doctrine of Christ, by our affection to the Person of his Minister (the fault which the Apostle reprehended in the Corinthians)"—all the more surprising.[12] The tolerant Hobbists, for the most part, ignore the conditionals, and while some critics suggest an ironic reading in light of the first, they rarely delve into the reasons why.[13] When quoting this passage on either side, ellipses

[9]See, for example, Richard Boyd, *Uncivil Society: The Perils of Pluralism and the Making of Modern Liberalism* (New York: Lexington Books, 2004), 66; and James Farr, "Atomes of Scripture: Hobbes and the Politics of Biblical Interpretation," in *Thomas Hobbes and Political Theory*, 189.

[10]Most notably in *Behemoth*, but in the manuscript copy of *Leviathan* presented to the future Charles II, as well. See Johann Sommerville, "Hobbes and Independency," *Rivista Critica di Storia della Filosofia 59*, no. 1 (2004): 155–73; A. P. Martinich, *The Two Gods of Leviathan* (Cambridge: Cambridge University Press, 1992); and "Anglicanism," in *The Bloomsbury Companion to Hobbes*, ed. Sharon A. Lloyd (London: Bloomsbury, 2013); and Jon Parkin, *Taming the Leviathan: The Reception of the Political and Religious Ideas of Thomas Hobbes in England, 1640–1700* (Cambridge: Cambridge University Press, 2007).

[11]Clarendon, who had been with Hobbes in exile, read this passage as further evidence of Hobbes's hypocritical conformism "because *Cromwell* was then thought to be of that faction." See Edward Hyde, *A Brief View and Survey of the Dangerous and Pernicious Errors to Church and State, in Mr Hobbs's Book entitled Leviathan* (Oxford, 1676), 309. Noel Malcolm expresses the updated critical consensus when he calls it "an anomaly… [with] the air of a last-minute adjustment designed to align [Hobbes's] theory a little more closely with the religious preferences of the prevailing power." See Malcolm, introduction to *Leviathan*, i.64.

[12]Collins offers the following resounding judgment: "Modern commentators have badly underestimated the significance of the endorsement of Independency… . [It] was not a casual or ill-considered aside, but a carefully structured conclusion" (Collins, *Allegiance of Thomas Hobbes*, 130). And yet in a book of several hundred pages devoted to substantiating this claim, he says little about the carefully structured conditionals attached to it.

[13]See John Coffey, "Scepticism, Dogmatism and Toleration in Seventeenth-Century England," in *Persecution and Pluralism: Calvinists and Religious Minorities in Early Modern Europe*, ed. Richard Bonney and David J. B. Trim (Bern: Peter Lang, 2006), 156; Bryan Garsten, *Saving Persuasion*, (Cambridge, MA: Harvard University Press, 2006), 39–40; Boyd, *Uncivil Society*, 76; Ronald Beiner, *Civil Religion* (Cambridge: Cambridge University Press, 2011), 70n. Farr is a notable exception in this regard,

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abound, with some scholars, like Stephen, omitting both conditionals entirely. On the very rare occasions when the second is included, the Pauline parenthetical is almost invariably excised.[14]

Given its pride of place in the debate over Hobbes's toleration, however, understanding his views would seem to hinge in no small part on the conditionals—what they meant, and whether (or how) they could be satisfied. This article explores what happens when one places the conditionals at the center of one's interpretation of the endorsement of independency, as Hobbes did himself, rather than the periphery. If Stephen and his followers are right that this passage opens up space in Hobbes's theory for the toleration of religious difference, approaching it in this way suggests that the crucial question is not "tolerant" or "intolerant," but rather *how much* and *what kind?* That is, what would a *Hobbesian*—as opposed to an Enlightenment or Erastian—form of "independency" capable of satisfying the conditionals really look like?

Taking the passage as a whole, I argue, reveals a distinctive—and distinctively Hobbesian—vision of toleration as *difference without disagreement* in which the permission of diversity in the areas of worship, doctrine, and association was premised on maintaining a civil silence *about* those differences through sovereign- and self-discipline in speech.[15] While proponents of the tolerant Hobbes have acknowledged the importance of content-based restrictions on speech, primarily in the censorship of "seditious" doctrines,[16] the conditionals point in a different direction—to the *manner* of disagreement, rather than its substance. While the obstacles to coexistence identified therein—"contentious" disagreement characterized by hateful speech and sectarian "affection"—continue to perplex members of tolerant societies today, Hobbes had a number of concrete policies for overcoming them in mind. Some, like censorship and educational reform, will be familiar. Others, including the regulation of civility or "civil worship," bans on

but his treatment of both conditionals is confined to a single sentence (Farr, *Atomes of Scripture*, 189).

[14]For just a few examples, see Abizadeh, "Publicity, Privacy, and Religious Toleration in Hobbes's *Leviathan*," 261; Curley, "Hobbes and the Cause of Religious Toleration," 325; Malcolm, introduction to *Leviathan*, i.62; and Owen, "The Tolerant Leviathan," 142–43.

[15]Although it may be possible to disagree with a person or a proposition internally, without expressing it, I shall use "disagreement" throughout to refer to the outward expression of one's different opinions or beliefs to others. Thus the difference/disagreement distinction on my account tracks the internal/external distinction essential for Hobbes. As we shall see, Hobbes viewed disagreement as such as a problem, and not simply its contentious or argumentative expression.

[16]E.g., Curley, "Hobbes and the Cause of Religious Toleration," 325; Owen, "The Tolerant Leviathan," 141.

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"contumelious" speech, the licensing of preachers, and the legal proscription of proselytism and other evangelical activities less so.

I return to the implications of difference without disagreement for Hobbesian toleration in the conclusion. Although its antievangelical nature poses a problem for the Erastian Independency thesis, I agree with the tolerant Hobbists that *Leviathan* did "endorse" a suitably qualified form of religious independency as an attractive—if unlikely—possibility. Nevertheless, Hobbes abandoned his hope that education and discipline could satisfy the conditionals soon thereafter, with *Behemoth* offering an uncompromising indictment of any degree of independency in religion—for individuals or for congregations—as an irresistible invitation to sectarian discord. Whether Hobbes's fleeting vision of a well-ordered society as one in which individual members might *differ* in religion without openly *disagreeing* about it should qualify as "tolerant" or "intolerant" today, however, is another interesting—and difficult—question. There may be more at stake in one's answer than at first appears.

II. "Independency"

Before we turn to the conditionals, we must first consider independency. What, exactly, did Hobbes mean by "the Independency of the Primitive Christians," and how much room for toleration—that is, for the peaceful permission and accommodation of religious difference—would such a system allow?

Interpreting this phrase in its historical context is the bread and butter of the Erastian Independency thesis. This case for a tolerant Hobbes begins with the observation that, in 1651, the "Independents" were Puritans who adhered to a Congregationalist, rather than a Presbyterian, ecclesiology. This rift within English Calvinism, which had taken place much earlier, was politicized during the English Civil War and came to a head with the successful abolition of Episcopacy by the Long Parliament in 1646. Like all Puritans, Independents believed that rule by bishops was an "Anti-Christian" (i.e., Catholic) invention, and thus that the Church of England needed to be "purified" by being brought back to the first principles of "primitive" Christianity. Where the Independents departed from their erstwhile Presbyterian allies, however, was on the question of how the reformed church should be organized.

Both sides claimed to derive their model of church government directly from the New Testament. But the Independents denied that Paul's Epistles described a single, universal, and visible church at all. There were only "gathered" *churches*—particular congregations of Christian converts voluntarily assembled to hear the preaching of their chosen evangelist. The Independents argued that local congregations must therefore be regarded as equal and independent churches, voluntary and self-governing

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associations of the godly, free to elect or "call" their own ministers, discipline their members, and follow their consciences in matters of worship and doctrine within the limits of Calvinist orthodoxy. Their Anglican and Presbyterian opponents accused them, in turn, of the sin of "schism"—of breaking away from the *corpus Christianum* and dismembering the body of Christ. Independents had to work hard to rebut the charge.[17]

The claim that *Leviathan*'s English audience would have recognized "the Independency of the Primitive Christians" as a deliberate reference to that party is persuasive. Hobbes followed common usage in applying the proper name "Independents" to the Congregationalists and "Independency" (as opposed to "Presbytery") to the "congregational way" elsewhere (e.g., B 138). Moreover, as Goldie and Collins have demonstrated, at least some readers recognized the allusion—and worried about its tolerationist implications.[18] Hobbes's former friend and critic, the Earl of Clarendon, accused him of feigning his "good opinion" of Independency in chap. 47 because "*Cromwell* was then thought to be of that faction," and not "because *it left every man to do what liked him best in Religion*, as he saies."[19] Despite his dismissive tone, Clarendon was clearly concerned that this passage would be used to bolster "the Consequences that some men draw from Mr. Hobs's Principles in behalf of Liberty of Conscience" that Samuel Parker had complained of several years before.[20]

Still, even if one reads the endorsement of Independency as an uncomplicated reference to congregationalism, it is difficult to ascertain what concrete church-state arrangements Hobbes would have therefore had in mind. How much independence—from other congregations, from the Anglican establishment, and from the civil magistrate—did "Independency" require? Did this

[17]John Owen's *Of Schisme* (1657) is a prime example.

[18]See Goldie, "The Reception of Hobbes," 153–71. The tolerant Hobbes was by no means an invention of Leslie Stephen. The first reference to *Leviathan* in print came only a few weeks later in *The Christian Moderator*, a pseudonymous tract calling for the toleration of English Catholics. Collins and Abizadeh note that Independents like Henry Stubbe appealed to Hobbes in defending the ecclesiastical policies and limited toleration of the Protectorate. See Collins, *Allegiance of Thomas Hobbes*, and Abizadeh, "Publicity, Privacy, and Religious Toleration." Malcolm and Curley point to Dutch republicans and, of course, Spinoza. See Malcolm, "Hobbes and the European Republic of Letters," in *Aspects of Hobbes*, chap. 14, and Curley, "Hobbes and the Cause of Religious Toleration."

[19]Hyde, *Brief View and Survey*, 308.

[20]Parker, himself a notoriously intolerant latitudinarian, would be accused of Hobbism by John Locke: "That the magistrate should restrain seditious doctrines who denies, but because he may, then has he power over all other doctrines to forbid or impose… . How far is this short of Mr. Hobbes's doctrine?" (quoted in Goldie, "The Reception of Hobbes," 613). See also John Marshall, "The Ecclesiology of the Latitude-Men, 1660–1689: Stillingfleet, Tillotson, and 'Hobbism,'" *Journal of Ecclesiological History* 36, no. 3 (1985): 407–27.

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independence belong to individual Christians, or to their congregations? Independents in Old and New England were themselves deeply divided on these issues, divisions which came to a head during the transatlantic debates about what an Anglican Church reorganized along Congregationalist lines would look like. Erastian or "Magisterial" Independents, including the Puritans in Massachusetts Bay, were comfortable with establishment and wanted to maintain the formal structure and institutions of a national church, including the physical plant and the state-trained and -supported clergy, while devolving authority to local congregations. They envisioned a pluralistic system of established churches—nonseparating Protestant congregations that could elect their own ministers and govern themselves under the supervision of "godly" magistrates. But for radical Independents like Roger Williams and John Milton, "independency" demanded *disestablishment*, a complete separation of the institutions and authorities of church and state. Williams complained that the hybrid systems proposed by his fellow Congregationalists smacked of so much unwholesome Hebraizing "as wakens Moses from his unknown grave and denies Jesus yet to have seen the earth."[21] Especially offensive was the idea of a "hireling" ministry. Milton was aghast "that *Independents* should take that name… [yet] seek to be *dependents* on the magistrates for their maintenance. … Independence and state-hire in religion, can never consist long or certainly together."[22]

The Independents were similarly divided over the issue of toleration. Although Whig historiography has long linked Independency with the inexorable "rise" of toleration in early modern England, more recent work has stressed that the relative toleration experienced under the Commonwealth was largely "unintended" and "unintentional."[23] As attempts to agree upon an ecclesiastical settlement foundered, the Independents' most significant achievements were successive Blasphemy Acts (1648, 1650) and a stopgap "Toleration Act" in 1650. Actually "An Act repealing Several Clauses in Statutes imposing Penalties for not coming to Church," results and reviews were mixed.[24] While radicals called for liberty of conscience to be extended

[21]Roger Williams, *On Religious Liberty: Selections from the Work of Roger Williams*, ed. J. C. Davis (Cambridge, MA: Harvard University Press, 2008), 128.

[22]John Milton, *Considerations Touching the Likeliest means to remove Hirelings out of the Church* (London, 1659), 33; my emphasis.

[23]See Andrew Murphy, *Conscience and Community: Revisiting Toleration and Religious Dissent in Early Modern England and America* (University Park: Pennsylvania State University Press, 2001), chap. 3; Blair Worden, "Toleration and the Cromwellian Protectorate," in *Persecution and Toleration: Studies in Church History*, ed. W. J. Sheils (Oxford: Blackwell, 1984), 207–10; and Collins, *Allegiance of Thomas Hobbes*, 102, 170–71.

[24]The many Protestant sects that had emerged during the Civil War flourished, but many of these "fanatics," most famously the Quaker James Nayler, found themselves on the receiving end of antiblasphemy prosecutions. In *Behemoth*, Hobbes described

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formally to those outside of the established church or congregations—that is, to "enthusiastic" Protestant sectarians, non-Christians, and even in some rare cases to "Anti-Christian" Catholics—others were emphatically opposed.[25]

Hobbes, of course, had little sympathy for the disestablishmentarian "Independency" espoused by zealots like Williams or Milton, whose claim to individual liberty of conscience he called a "doctrine repugnant to Civill Society" (L ii.29.502). But *Leviathan*'s uncompromisingly Erastian reimagining of the eirenic distinction between "things indifferent" (*adiaphora*) and the "fundamentals" (*fundamenta*) of faith—the former of which included *all* of the externals of religion, words and deeds—made possible a variety of tolerant "Hobbisms." Although the radical liberty-of-conscience wing of the movement rejected such arguments, they were taken up by other toleration-minded Independents like Edward Bagshaw, who argued from the Hobbesian premise of the essential indifference of external worship to the conclusion that individuals should be left at liberty to follow their consciences therein.[26]

Within a broad Puritan/Congregationalist consensus, then, Independency remained a frustratingly heterogeneous phenomenon. To determine whether the sort of "Independency" Hobbes envisioned had tolerationist implications, the contextualist finds herself in the unenviable position of trying to sort through these many different, competing strands. Proponents of the Erastian Independency thesis are themselves divided. Tuck calls the endorsement of independency a "passionate defense of toleration," whereas Collins insists that Hobbes's sympathies lay exclusively with the Erastian "magisterial" strand and warns against reading it as a straightforward endorsement of toleration on this basis.[27] More recently, Abizadeh has

the passing of the Toleration Act approvingly as "vot[ing] liberty of conscience to the sectaries" and "liberty from… Presbyterian tyranny" (B 169).

[25]All Independents, as good Calvinists, argued that liberty of conscience was a God-given right, but what they meant was that the "godly"—i.e., true Christians like themselves—should be free to follow their consciences and order their congregations without interference. The "erring" consciences of false Christians and non-Christians were another story. See John Coffey, "Puritanism and Liberty Revisited: The Case for Toleration in the English Revolution," *Historical Journal* 41, no 4 (1998): 961–85.

[26]For Hobbes's influence on Bagshaw, see Collins, *Allegiance of Thomas Hobbes*, 238–39. Bagshaw's pamphlet *The Great Question Concerning Things Indifferent in Religious Worship* (1660) was the subject of Locke's antitoleration polemic in the *First Tract of Government*. For Hobbes's influence on the latitudinarian Anglican defenders of comprehension, see Collins, *Allegiance of Thomas Hobbes*, 273–74; Goldie, "The Reception of Hobbes," 612–13; and Marshall, "The Ecclesiology of the Latitude-Men."

[27]See Tuck, "Hobbes and Locke on Toleration," 163, and Collins, *Allegiance of Thomas Hobbes*, 102–3.

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accused Collins of downplaying the tolerationist bona fides of the Independents and eliding the fact that chap. 47 "cited Independency's tolerationist rather than [its] Erastian credentials."[28]

While an appeal to context is clearly insufficient to determine what element(s) of the Primitive Christians' "Independency" struck Hobbes as "perhaps the best," the text offers a few more clues. Apart from Exhibit A, the term "Independency" (always capitalized) occurs in two other places in *Leviathan*.[29] The first comes in chap. 13 in his adumbration of the "Natural Condition of Mankind":

> Kings, and Persons of Soveraigne authority, because of their Independency, are in continuall jealousies, and in the state and posture of Gladiators… but because they uphold thereby, the Industry of their Subjects; there does not follow… that misery, which accompanies the Liberty of particular men. (i.13.90)

Here, Hobbes used "independency" as a synonym for liberty in Milton's republican sense—as a status of self-government and not being subject to the will of another. While appropriate for sovereigns, an analogous liberty claimed on the part of individuals quickly turns the state of nature into a state of war. The second example, also in chap. 47, uses "independency" in a similar—and similarly negative—sense to describe the second "knot" upon the people's Christian liberty, the Anglican clergy's claim to power *Dei gratia*: "By maintaining their imployment to be in Gods Right, [the Bishops] seemed to usurp, if not a Supremacy, yet an Independency on the Civill Power" (iii.47.1106).

The phrase, "the Independency of the Primitive Christians," thus describes a similar state of spiritual autonomy on the part of private individuals, not simply *in foro interno*, but in the realm of "externals" as well—to associate and dissociate from one another and choose for their spiritual leaders

[28]Drawing on Benjamin Kaplan's discussion of clandestine worship in the Dutch Republic in *Divided by Faith* (Cambridge, MA: Harvard University Press, 2007), Abizadeh argues that Independency offered Hobbes a way to maintain the uniformity of "public," i.e., representative, worship in the commonwealth while allowing for dissenting preaching and worship in an increasingly public "private" sphere ("Publicity, Privacy, and Religious Toleration," 263).

[29]In *The Allegiance of Thomas Hobbes*, Collins notes that two additional references to the Independents appear in the manuscript copy presented to Charles that do not appear in the published version: one accusing "the doctrinall factions of presbyterians and Independents" of instructing the people in the pernicious doctrine of divided sovereignty, and the other complaining about "factions for government of Religion, as of Papists, Protestants, Independents." The published version substitutes the phrase "Dissenters about the Liberty of Religion" for the former and a simple "&c." for "Independents" in the latter (ibid., 145–46).

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whomever they "liketh best."[30] This would seem to support Abizadeh's claim that chap. 47 endorsed Independency on the basis of its tolerationism. Such a freedom of association would depend on the permission of some religious diversity—not simply in church membership, but in the *adiaphora* of worship and doctrine, and the preaching of individual ministers as well. How else could independent individuals choose whom to follow, whether Paul or Cephas—or Apollos, for that matter?

When read against the context of the internecine disputes within contemporary Independency with which we began, three things stand out. First, although congregants would evidently be free to select their church on the basis of the preaching they preferred, the corresponding evangelical liberty needed for Paul, Cephas, and Apollos to develop what the puritan minister William Perkins (1607) called the "Art of Prophesying" or preaching highly prized by Independent ministers goes unmentioned. Second, that by speaking exclusively of the independence of individual *Christians*, Hobbes implicitly denied the further Congregationalist claim he acknowledged elsewhere, namely that "all *congregations* [be] free and independent" as well (B 3).

Third and finally, the obvious objection: as skeptics like Farr, Boyd, and Garsten rightly point out, "independency" claimed by anyone other than the sovereign was, from the point of view of Hobbes's political theory, an unquestionably bad thing.[31] Given what he says in chap. 13, how can anyone take his (wanly) positive reference to the "Independency of the Primitive Christians" in chap. 47 seriously? What's to keep this "independency" from devolving into a *religious* war of all against all? It is here that the conditionals separating the "Independency of the Primitive Christians" from Hobbes's judgment that it "is perhaps the best" come into play.

III. The Conditionals

After the Byzantine (and antiquarian) twistings and turnings of "Independency," the concerns about uncivil disagreement and sectarianism expressed in the conditionals—"if it be without contention" and "without measuring Christ's doctrine by our affection to the person of his minister"—can sound eerily familiar. But in pointing to "contention" and partisan "affection" as the most serious obstacles to unmurderous coexistence in

[30]That Hobbes viewed this as a defining feature of Congregationalist ecclesiology is clear from his definition of an *ekklesia* as "a Congregation assembled, of professors of Christianity" yet whose commands would not be binding on "absent" or dissenting members (L iii.39.730–32).

[31]See Farr, "Atomes of Scripture"; Boyd, *Uncivil Society*; and Garsten, *Saving Persuasion*. For the development of Hobbes's theory of liberty in relation to the republican conception, see Quentin Skinner, *Hobbes and Republican Liberty* (Cambridge: Cambridge University Press, 2010).

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his day, Hobbes was not alone. Indeed, the distinctive problem facing early modern Europe was not religious diversity, which had long predated the Reformation, but rather the highly uncivil sectarian disagreements to which technological innovations like the printing press and increasingly enthusiastic modes of evangelical expression had given rise. Far from being an obvious solution to this war of words, both critics and supporters of toleration feared that it would make things worse by encouraging sects to compete and amplifying their anathemas.[32]

In warning his readers about "contention," Hobbes had these heated and hateful disagreements between religious opponents in mind, and it seems he was particularly concerned about the insults and invective employed therein. He had made "contumely" a violation of a fundamental law of nature ever since *The Elements of Law*: "Because all signs by which we shew to one another of hatred and contempt, provoke in the highest degree to quarrel and battle… no man [may] reproach, revile, deride, or any otherwise declare his hatred, contempt, or disesteem of any other" (EL 92). Similar proscriptions against contumelious speech appeared in *De Cive*, bolstered by scriptural supports, and in *Leviathan* with an expanded list of offending modes of declaration (DC 49, 62; L ii.15.234).

In worrying about contumely, Hobbes was not simply being prudish. Rather, he was attuned to the insidiousness of insult and the power of a well-crafted slur. He complained about how previously neutral words like "tyrant" could be converted into terms of abuse capable of undermining the honor and dignity of a rightful sovereign. Religious insults like "heretic" and "anti-Christian" were also cases in point. *Leviathan* criticized Protestants for indiscriminately accusing their opponents of being "Jesuits" in the service of "Antichrist" (L iii.42.874–76), but Hobbes found the pejorative labels applied in his own case—most notably "heretic"—especially troubling.

Nevertheless, for Hobbes, the incivility characteristic of "contention," whether in politics or religion, was simply a symptom, not the cause of the deeper illness. *De Cive* put the matter bluntly: "the mere act of disagreement is offensive. … Not to agree with someone on an issue is tacitly to accuse him of error… just as to dissent from him in a large number of points is tantamount to calling him a fool" (DC 26–27).[33] Hobbes pushed the inherent *disagreeableness* of disagreement even further in *Leviathan*: "To agree with in opinion, is to Honour; as being a signe of approving his judgement, and wisdome [but] To dissent, is to Dishonour; and an upbraiding of errour; and (if the dissent be in many things) of folly" (L ii.10.138).

[32]For an expanded version of this argument, see Teresa M. Bejan, *Mere Civility: Tolerating Disagreement in Early Modern England and America* (Cambridge, MA: Harvard University Press, forthcoming).

[33]The Latin makes the link with "contention" explicit: "Etenim non modo contra contendere, sed etiam hoc ipsum non consentire, odiosum est."

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For Hobbes, this ineluctable element of insult meant that "civil disagreement" was a contradiction in terms. The reasons for this were equally if not more pertinent in religion. Not only were religious disagreements prime opportunities for creative contumely—as the proliferation of pejorative labels or "denominations" like "puritan," "quaker," and "Independent" demonstrates—the "disesteem" implicit therein was taken as an insult to *God's* honor, as well as man's.[34] *Leviathan*'s use of "dissent" as a synonym for disagreement was deliberate; it explained why "dissenters about the liberty of religion" were so offensive to orthodox Anglicans and why the members of each self-proclaimed "true church" were "ever highly offended with those that dissented from their spirit" (B 89).

Of giving and taking this kind of offense, the "Ministers of Christ" who berated their theological opponents—as well as their own congregations—were especially guilty (B 23–24). As Perkins stressed, "prophesying" had a twofold use—"it serveth to collect the Church, and to accomplish the number of the Elect" and "it driveth away the Woolves from the foldes of the Lord" (4). Not only did the surfeit of slurs generated in the course of dispute harden sectarian identities; once in motion, the theological "contention" fueled by such adversarial preaching possessed an unstoppable, affective force.

Here, the concerns expressed in the first conditional quickly gave way to the second, "without measuring the Doctrine of Christ by our affection to the person of his Minister (the fault which the Apostle reprehended in the Corinthians)." Often omitted by scholars on both sides of the in/tolerant Hobbes debate, this parenthetical allusion was pointed. In the seventeenth century, First and Second Corinthians were popular proof texts against schism as an attack on Christian unity. There, Paul counseled the competing congregations in Corinth against mistaking their primary allegiance, which belonged not to him or his colleagues, Cephas and Apollos, but to Christ. He further chastised them for submitting to the dogmatism of small differences leading to "debates, envyings, wraths, strifes, backbitings, whisperings, swellings, [and] tumults" as well (2 Cor. 12:20).

This appeal to Corinthians thus underscored the evils of partisanship in terms the Independents and their critics would have found familiar. But throughout *Leviathan*, the dangers of sectarianism and its distorting effects on disagreement were a constant theme. Groupishness, the propensity to cleave to the likeminded and demonize opponents, exacerbated men's natural partiality and pride as impediments to right reasoning.[35] This made

[34]Hence, they "judge each other's worship unseemly and impious; and [do] not accept that the others [are] worshipping God at all" but "heaping scorn upon [Him]" (DC 183).

[35]This is one of those "darker properties of men in groups" that Boyd examines among the "perils of pluralism" in Hobbes's thought. See Boyd, *Uncivil Society*, 56.

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attempts to work out subtle—or as Hobbes might say, "dark" and "insignificant"—theological differences in a spirit of selfless and impartial inquiry even more difficult. The partisan love of one's own sect, like the "multiplying glasses" of self-love, distorted disagreement by encouraging the parties to decide the question in advance while blinding them to their own bias, even as their constant accusations of "interestedness" against their opponents revealed a striking sensitivity to this dynamic of believing and belonging in others.

Book IV introduced what would become a lifelong preoccupation for Hobbes by tracing the "partisan spirit" infecting Christianity to its origins in the Hellenic world and the encounter with Greek philosophy. Chapter 46, "Of Darknesse from Vain Philosophy, and Fabulous Traditions," described the emergence of the Hellenistic philosophical sects in terms designed to remind his readers of the religious sectarians—the "Papists," "Independents," "Anabaptists," "Fifth-Monarchy-men," "Quakers," "Adamites," etc.—of their own time. Both, he insisted, originated in the idleness of would-be evangelists, who entertained themselves with public preaching and winning over audiences with their "Disputations, [or] *Diatribae*, that is to say, *Passing of the time*" in Greek:

> The Athenians… had little else to employ themselves in, but either (as St. Luke says, *Acts* 17.21) *in telling and hearing news* [i.e., evangelism], or in discoursing… publiquely to the youth of the City. Every Master took some place for that purpose. *Plato* in certain publique Walks called *Academia*… *Aristotle* in the… *Lycaeum*: others in the *Stoa*… in any place, where they could get the youth of the City together to hear them talk.

They derived the names of their "Sects" from the names of their "Schools"—"*Academiques*," "*Peripatetiques*," and "*Stoiques*"—"as if we should denominate men from *More-fields*, from *Pauls-Church*, and from the *Exchange*, because they meet there often, to prate and loyter" (L iii.46.1056).

Hobbes did not intend this comparison as a compliment to the sectarians—or, indeed, to the Apostles—and this obsession with the Hellenistic origins of Christian sectarianism only grew in his later works. The Latin *Leviathan* repeats a compressed version of this narrative with an extended second act. Whereas the original focused on blaming the Greeks for infecting Christianity with "absurd" doctrines, the 1668 version highlighted their lingering partisan loyalties. "In the time of the primitive Church… Greeks joined the Christian faith in large numbers," but the philosophers—"half-baked Christians"—refused to "abandon the dogmas of their own masters" (L iii.46.1063–65). Sects such as those at Corinth emerged in the primitive church as a result of these "disagreements among those newly converted

Boyd cites the first conditional but neglects the second, which addresses the problem of sectarianism directly.

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pastors over the nature of Christ."[36] When disagreements became heated, these philosophic Christians deployed the smears they had perfected earlier against each other, words like "criminal, sacrilegious, thieving, parricidal, [impure], [accursed], and the other names which the lowest class of people use when they are aroused almost to fisticuffs." This sectarian labeling transferred thereafter to religion, whereupon "heretic" became "the greatest reproach of all" (L Appendix, iii.2.1192).

Hobbes consistently depicted Constantine's decision to convene the Council of Nicaea as a wise one in light of the dangerously heated disagreements arising between the followers of Arius and Alexander over a difference of opinion about the Trinity "which led… to sedition and slaughter in the city of Alexandria" (L Appendix, iii.1196). The incident offered an object lesson in the dangers of contention and affection run amok: "the reason why Constantine and other Roman emperors ordained many punishments for heretics… was to prevent the Christians, and especially the soldiers, from dividing into factions and killing one another" (L Appendix, iii.2.1210). But *Behemoth* offered the fullest description of the disastrous consequences—and the importance of taking decisive action.

There, as in *Leviathan*, Hobbes identified "the preachers" and the unrestricted evangelical liberty Charles allowed them "to harangue all the people of a nation at one time, whilst the state is ignorant of what they will say" as "the beginning of our troubles" (B 39, 63–64). By going "abroad preaching… upon working-days in the morning," the Presbyterians in particular "came into such credit, that numbers of men used to go forth of their own parishes… to hear them preach" (B 23–24). This unregulated itinerant preaching initiated a cycle of evangelical competition wherein "prophetic" styles of preaching had a considerable advantage. The Presbyterians, "both by the manner"—which "was or seemed to be extempore, which they pretended to be dictated by the spirit of God within them"—as well as "the matter of their preaching, applied themselves wholly to the winning of the people to a liking of their doctrine and good opinion of their person." The people came to "despise their own and other preachers," especially the Anglican clergy who, "instead of sermons did read to the people such homilies as the Church had appointed" and who were "*esteemed* and *called*… dumb dogs" (B 23–24, my emphasis).

In Hobbes's analysis in these later works, one can see both conditionals in play—and the disastrous consequences of "independency" when they went unmet. His apparent sympathy for Protestant martyrs since the time of Luther did not extend to these Presbyterian preachers and the contention and affection they inspired (L Appendix, iii.2.1198). "Had it not been much better that [they], which were not perhaps 1000, had been all killed before

[36]Hobbes was not prone to the illusion of philosophic impartiality.

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they had preached? It had been (I confess) a great massacre; but the killing of 100,000 is a greater" (B 95).

IV. Difference without Disagreement

This assessment can be read as a vindication of Hobbes's earlier decision to append conditionals to his "endorsement" of the primitive Christians' "Independency" in *Leviathan*. Exhibit A in the case for the tolerant Hobbes would seem to stand or fall, then, on whether he ever believed they could be satisfied—that is, whether it would be possible to sever religious diversity from the uncivil sectarian disagreements it inspired. Given his later comments on Constantine and the Presbyterians, it is tempting to side with critics of the tolerant Hobbes who read the endorsement of independency ironically in light of the first conditional. His analysis of the disagreeableness of disagreement suggested that "contention," "affection," and "independency" were inseparable. If the "mere act" of disagreement is offensive, how could—and why would—Hobbes permit the expression of any religious difference, in word or deed?

Moreover, *both* conditionals were clearly formulated with the Independents—those self-styled inheritors of "primitive Christianity"—in mind. They pointed the finger squarely at the godly preaching and evangelical belonging associated with the hotter sort of Protestants, particularly in their "schismatic" Independent guise. The saints threatened to deny the name of Christian to anyone who disagreed with them on points of the profoundest indifference, and their evangelistic focus on the preaching of the Word in the gathering of congregations made settling the boundaries between schism and Independency an embittered—and embittering—enterprise. Furthermore, the "affection" of Independents to the person of their elected minister was legendary; the wholesale transplantation of English congregations from the Netherlands to the New World testified to the strength of these bonds.[37]

Critics of the tolerant Hobbes often focus on *Behemoth*'s analysis of the role of the preachers and "dissenters about the liberty of religion" in fomenting civil war in making their case. Certainly in 1668, with the benefit of hindsight, any Interregnum hopes Hobbes might have had for containing the contention and affection implicit in Independency would have seemed quixotic. But in collapsing this chronological distance, it is easy to overlook other evidence within *Leviathan* itself that suggests Hobbes was not *simply* pandering to

[37]Collins's appeal to John Cotton as an exemplary magisterial Independent in his explications of Hobbes's views illustrates the incongruity. See Collins, *Allegiance of Thomas Hobbes*, 102.

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the powers that be, and that he was prepared to entertain a suitably qualified form of Independency as an attractive—albeit tenuous—possibility.[38]

Leviathan's "Review and Conclusion" returned to the difficulties of disagreement and confronted the skeptical objection directly:

> To consider the contrariety of mens Opinions, and Manners in generall, It is they say, impossible to entertain a constant Civill Amity with all those, with whom the Businesse of the world constrains us to converse: Which Businesse, consisteth almost in nothing else but a perpetuall contention for Honor, Riches, and Authority. (L Review and Conclusion, iii.1132)

These, Hobbes conceded, "are indeed great difficulties, but *not Impossibilities*: For by Education, and Discipline, they may bee, and are sometimes, reconciled." This passage occurs only four pages after the endorsement of independency in the original folio, and the wording deliberately recalls the conditionals. Taken together, they suggest a sincere hope that the conditionals *might* be satisfied, while acknowledging the tenuousness of the enterprise. With correct education and discipline, "contrariety" and "civil amity" might be reconciled… sometimes. Independency could be severed from sectarian contention… perhaps.

We are, of course, still miles away from Richard Tuck's suggestion that *Leviathan* offered a "passionate defense of toleration." Taking Hobbes at his word, in either passage, hinges on exactly what kind of "education and discipline" he had in mind. Here again, the conditionals are crucial. By highlighting the dynamics of disagreement, not diversity itself, as the obstacle to coexistence, they held out the possibility that a limited toleration of the religious differences resulting from individual "independency" might be possible, even preferable, provided that certain ethical and institutional constraints were observed when it came to expressing these differences outwardly as *disagreement*.

One can see Hobbes working through the ethical and institutional implications of this distinctive vision of a tolerant society—what I call "difference without disagreement"—throughout his works. The second conditional spoke directly to the former. First and Second Corinthians had long been popular with eirenicists like Erasmus as proof texts for the latitudinarian distinction between *adiaphora* or "superstruction"—the "hay and stubble" of superficially different beliefs and practices—from the *fundamenta* shared by all Christians. By reminding them of what they shared, these thinkers sought to combat schism and thus restore *concordia* or concord to the body of Christ. Hobbes's repeated Pauline allusions were used to similar effect,

[38]"I dare say he did with his heart, as well as by his tongue, quit that party the very day that the King was proclaimed, as he is ready to quit all his other Opinions true or false… which makes whatever he saies, the less to need answering." See Hyde, *A Brief View and Survey*, 308–9. This, of course, did not stop Clarendon from devoting hundreds of pages to a detailed rebuttal.

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but with a subtle shift in emphasis. Whereas Erasmus emphasized the importance of dialogue as a positive acknowledgment of commonalities between Christians, Hobbes stressed the importance of "not saying" and of observing a *civil silence* about their differences instead. His appeal to Romans in the conclusion to *De Cive* makes the point explicit:

> It is the nature of men to hurl abuse and anathemas at each other when they disagree. … When men grow warm in dispute, almost any dogma is said by one or the other to be necessary for entry into the kingdom of heaven… to which I now add this one from St. Paul: One who eats should not reject one who does not; one who does not should not criticize one who does. For God has accepted him. One man thinks one day is better than another, another man values all days alike: let each be filled with his own conviction. (DC 247)

Men might differ in religion, as in anything else. But they should learn to bite their tongues rather than commit the impardonable contumely of disagreeing about it.

Still, exhortations to self-restraint and conversational virtue would not suffice to satisfy the conditionals. Here, the institutional dimension of difference without disagreement comes into sharper focus. Unlike animals, men possessed a passion for glory along with sharp and critical tongues. These natural defects, Hobbes insisted, required a wise sovereign and perspicuous laws for their correction. The "discipline" of laws and punishments was required to restrict the expression of religious difference—both "privately" and "publicly"—in order to limit the opportunity and incentive for individuals to disagree. Permission of diversity in the form of plural congregations distinguished by worship, ministers, and membership would require a compensatory sovereign surveillance over speech.

To appreciate the ambition of Hobbes's program in this regard, it is necessary to go beyond Wolin's "Great Definer" to the particular institutions governing religious expression. Some of these policy recommendations, like educational reform and the censorship of doctrines, will be familiar. In *Leviathan*, sovereigns possessed not only the right, but also the duty to judge all "Opinions and Doctrines," and to that end "on what occasions, how farre, and what, men are to be trusted… in speaking to Multitudes of people," particularly in churches and the universities, as well as those "who shall examine the Doctrines of all bookes before they be published" (L ii.18.272). But censorship was just the tip of the iceberg. The eighth law of nature legitimated an expansive sovereign power over "civil worship"—that is, those reverent words and deeds by which one expressed "honour" toward one's fellow men, as opposed to "divine worship," which took God as its object—in its quest against contumely. The right to regulate both, Hobbes insisted, was inseparably annexed to sovereignty—not only the "titles of Honour" and the "Order of place, and dignity, each man shall

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hold," but also "what signes of respect, in publique or private meetings, they shall give to one another" (L ii.18.276).

But contumelious speech was not the only area in need of regulation. Hobbes's conclusion in *Behemoth* that peace would remain elusive "till preaching be better looked to" by Christian sovereigns represented a pithy précis of *Leviathan*'s longest chapter, "Of Ecclesiastical Power," which revealed that he had long had definite notions as to what "better looking to" required. In the first place, aspirants to these positions needed to be educated in a central conclusion of his civil science—namely, that all offices of public speaking, including "preacher," "teacher," and "prophet," were essentially "ministerial" and representative of the public voice of sovereign power.[39] Here, Hobbes intended to undermine claims to authority *Dei gratia* by enthusiastic prophets and ambitious clergy alike. Those who occupied these privileged positions did so at the sovereign's discretion (Lii.23.378, iii.42.790). The same held true of all teachers of the people, including in geometry (L ii.27.476).

Second, "better looking to" also required sovereigns to exercise due diligence in disciplining the organs of public opinion formation, including the presses, pulpits, and universities. This was not simply an issue of doctrine but one of personnel, that is, "what men are to be trusted… in speaking to Multitudes of people" (L ii.18.272). Even while criticizing the Inquisition's attempts to discover and punish the most secret thoughts of men "notwithstanding the Conformity of their Speech and Actions," Hobbes insisted that it was entirely appropriate for the sovereign, "intending to employ a Minister in the charge of Teaching, [to] enquire of him, if hee bee content to Preach such, and such Doctrines; and in case of refusall, may deny him the employment" (L iii.46.1096). If all public speakers spoke as ministers of sovereignty, then the sovereign had to exercise his right to approve the same.[40]

[39]Here again, the multiple significations of "prophesy," particularly among Independents, are important—Perkins defined it as any "publique and solemne speech of the Prophet [i.e., the 'Minister of the Word'], pertaining to the worship of God and to the salvation of our neighbor" (1). His further claim that "every Prophet is partly the voice of God, to wit, in preaching: and partlie the voice of the people, in the acte of praying" was exactly what Hobbes wanted to deny.

[40]His interest in lay preaching, occasionally cited as evidence of a willingness to liberalize expression, was rather part of his insistence that only duly—and civilly—ordained voices be heard. As he told Wallis in his 1657 *Markes of the Absurd Geometry, Rural Language, Scottish Church Politicks, and Barbarismes of John Wallis:* "Ordination of Ministers depends not now on the imposition of hands of a Minister or Presbytery, but on the authority of the Christian Soveraign… . If [he] give me command (though without the ceremony of imposition of hands) to teach the Doctrine of my *Leviathan* in the Pulpit, why am not I… a Minister as well as you, and as publick a person as you are?" See Hobbes, *Markes of the Absurd Geometry,* in *The English Works of Thomas Hobbes*, ed. Molesworth, vol. 3 (London: Bohn, 1839), 17–19.

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What Hobbes envisioned, in effect, was a system of state licensing or civil ordination for preachers *and* teachers. His growing preoccupation with educational reform must be understood in this light. As the preeminent credentialing institutions for influential speakers both in the public of the pulpit or Parliament and the private sphere of familiar conversation, the universities needed to be reformed so that their products might be well instructed in true (i.e., Hobbesian) doctrine.[41] As Collins has pointed out, such a system was not simply a speculative conclusion of Hobbes's civil science. The University Visitations begun by the Long Parliament were used to vet faculty for principles "uncongenial" to the regime.[42] Similarly, the committees of "Triers and Ejectors" instituted under Cromwell comprised laymen and clerics and screened all potential schoolmasters, lecturers, and ministers—i.e., holders of state-beneficed positions.[43]

Hobbes liked these institutions for precisely the reasons radicals like Williams and Milton rejected them—because they produced a "hireling" ministry fully dependent on the state for their income as well as their ideas. Interestingly, the system of Triers and Ejectors was adapted from *The Humble Proposals* (1652), a plan of church government for the better "propagating of the Gospel" presented to the Rump by several prominent Independent divines.[44] Collins cites this as evidence of Hobbes's affinity for Independency in a magisterial vein. But the system of civil ordination envisioned in *Leviathan* was more in keeping with the letter than the spirit because it was precisely the "propagation"—from the Latin *propaganda*—of the Gospel Hobbes found so troubling.

[41]Evidently professors must not only have true opinions, but the same opinions, in order to avoid scholarly contention.

[42]In 1646, this meant purging hundreds of Episcopalian and royalist scholars from Oxford and Cambridge. The visitations continued during the Interregnum with an Independent bent—although several prominent Presbyterians managed to retain their positions, including Wallis. See Collins, *Allegiance of Thomas Hobbes*, 172, 208. One imagines that Hobbes wished they had been more thorough.

[43]Collins notes that this affirmation is all the more striking for occurring in a work written after the Restoration and presented personally to Charles II. Although he did not mention the system of Triers and Ejectors, Hobbes expressed sympathy for a similar system of lay committees as early as 1641. See Collins, *Allegiance of Thomas Hobbes*, 167–68, 80.

[44]The *Humble Proposals* declared that "Persons of Godlinesse and Gifts, in the Universities and elsewhere, though not Ordained, may be admitted to preach the Gospell, being approved when they are called thereunto." Although "this looks like an attempt to accommodate the belief that a call from his congregation is sufficient to legitimize a preacher without requiring training or ordination… the necessity for approbation… denie[d] the sufficiency of the call"—as tolerationist Independents critical of *The Humble Proposals* like Williams and Milton pointed out. See Carolyn Polizzotto, "The Humble Proposals Controversy," in *Journal of Ecclesiastical History* 38, no 4 (1987): 573.

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That Hobbes had little patience for evangelical zeal or the dangerous disagreements this view of the tongue as the sword of Christ's spirit inspired is not surprising. Already in the *Elements of Law*, he had complained that those who pled for "liberty in religion" did so rarely for their actions alone, but for a "farther liberty of persuading others of their opinions" (EL 154). His analysis of the disagreeableness of disagreement showed that attempts to convert others were more often offensive invitations to contention than coexistence. Pointing out another's errors and telling him to convert or suffer the consequences was an almost paradigmatic example of "contempt," and evangelism represented a form of "unwanted counsel," "a needless offense to him that is not willing to hear it" (EL 96).

Here, it is important to note just how radical—and radically deflationary—this description of the central evangelical mission of Christianity as a desire to "persuade others of one's opinions" was—and intentionally so. As with his comparison of the apostles' evangelism to the time-wasting *diatribae* of unemployed Greeks, in Hobbes's capable hands, the all-important spiritual duty of Christians to propagate the "good news" of the Gospel became nothing more than a self-indulgent desire to impose one's opinions on others. *Leviathan* suggested that the independency of the primitive Christians was "perhaps the best,"…"because there ought to be no Power over the Consciences of men, but of the Word it selfe, working Faith in every one, not alwayes according to the purpose of them that Plant and Water, but of God himself, that giveth the Increase" (L iii.47.1116). But his conception of "the Word" was deliberately restrictive—not the living spirit of evangelical speech, but the written words of state-sanctioned scripture.

Difference without disagreement thus demanded that one form of religious expression, in particular, be suppressed—evangelism. Ensuring a sufficiently civil silence about religion meant restraining individual Christians and congregations from criticizing the different religious persuasions and practices of others, as well as asserting the superior or exclusive truth of their own. Here, one finds the intolerant flip side of the doctrinal minimalism cited by Curley and others as evidence of Hobbes's tolerant "Erasmian liberalism."[45] *Leviathan* insisted that there could be no "warrant to preach Christ" to anyone who qualified as a Christian already on his limited definition. "For no man is a Witnesse to him that already beleeveth, and therefore needs no Witnesse" (L iii.42.788).

Avoiding contention and affection meant that witnessing both within and between independent Christian congregations needed to be proscribed. But Hobbes's hostility to missionaries, who alone were exempt from the license of Naaman, suggests that competition for converts between religions was

[45]See Curley, "Hobbes and the Cause of Religious Toleration," 314.

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also problematic.[46] *Leviathan* characterized all missionary activity as a violation of the Golden Rule: "If a Man come from the *Indies* hither, and perswade men here to receive a new Religion… [he] may be justly punished for the same, not onely because his doctrine is false, but also because he does that which he would not approve in another" (L ii.27.456).[47] Although Hobbes insisted that "if the State give me leave to preach, or teach; that is, if it forbid me not, no man can forbid me," it was also a right inseparably annexed to sovereignty to deny individuals that same liberty (L iii.46.1098).

The institutional realization of difference without disagreement through the regulation of preaching and the proscription of evangelism supports the central claim of the Erastian Independency thesis—namely, that Hobbes was open to, but not enthusiastic about, a limited toleration of religious diversity in worship and association. Yet for any English Calvinist, its uncompromising restrictions on evangelical liberty would have been completely anathema. Moreover, while the "independent" churches led by Paul, Cephas, or Apollos might be independent of one another and of an ecclesiastical hierarchy, they would be entirely dependent on the sovereign power.

V. Hobbesian Toleration

Here, one might be tempted to ask whether it makes sense to describe difference without disagreement as a form of toleration at all. But as recent revisionist work by historians has emphasized, "toleration" is rarely a simple yes-or-no proposition. It is a complicated—and inevitably contested—set of institutional and ethical arrangements, the particulars of which have taken vastly different forms in different places and times.[48] Hobbes was not the only early modern thinker to see uncivil disagreement and sectarianism as the chief obstacles to toleration. Many of the institutional and ethical arrangements proposed under the rubric of "toleration" in the early modern period developed as attempts to discover conversational constraints sufficient to end the war of words.

[46]If "none but such as are sent to the conversion of Infidels" possess that "warrant to preach Christ come in the flesh," only they are "obliged to suffer death for that cause" (L iii.42.788).

[47]From this, it seems safe to assume that Hobbes did not approve of the Corporation for Promoting and Propagating of the Gospel established in 1649 and dedicated to funding the missionary activities of New England Independents like John Eliot, the so-called Apostle to the Indians. For other examples of Independent interest in missionizing in the New World, see Teresa M. Bejan, "'The Bond of Civility': Roger Williams on Toleration and its Limits," History of European Ideas 37, no 4 (2011): 409–20.

[48]See Kaplan, *Divided by Faith*, and Alexandra Walsham, *Charitable Hatred: Tolerance and Intolerance in England, 1500–1700* (Manchester: Manchester University Press, 2006).

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Accordingly, I think Hobbesian difference without disagreement qualifies. Still, in facing down the challenges of contention and affection, Hobbes developed an original and eclectic theory of toleration that was entirely his own. In contextualizing Hobbes, one must be careful not to conflate his views with those of his contemporaries, as tolerant Hobbists are sometimes wont to do. As a comprehensive vision of a tolerant society, difference without disagreement calls into question any affinity on Hobbes's part with the "Independencies" of his contemporaries, ecclesiological or otherwise. How exactly would particular congregations congregate or "gather" when the ability to advertise one's particular persuasion and win converts was so severely circumscribed? Hobbes's system was designed, both in its ethical and institutional elements, to cultivate *disaffection* from one's minister, not the affection of election and calling central to congregationalism.

Moreover, its overtly antievangelical nature raises a number of difficulties for Popular Enlightenment–versions of the tolerant Hobbes as well. For example, if all would-be teachers and preachers would be tested for orthodoxy through licensing and university instruction, how much diversity of doctrine or worship could there really be? On what grounds would one prefer Paul to Cephas or Apollos, or vice versa? Licensing—whether in the form of civil "approval" of ministers after their election and/or the restriction of candidates to a pool of "discreet" university graduates before the fact—would result in a significant and deliberate homogenization of the ministry intended to erase the differences of doctrine, worship, preaching, and so forth on the basis of which a congregation or individual might choose. Even the limited diversity of plural-but-Orthodox Protestant congregations, each enjoying some latitude in the *adiaphora* of worship and doctrinal "superstruction" on the one hand, would demand a scrupulously civil silence *about* that diversity on the other.

Thus, while I agree with the tolerant Hobbists that the endorsement of independency in *Leviathan* reflected a genuine openness on his part to toleration—albeit of a distinctively Hobbesian variety—at the time of its publication, even then, Hobbes was attuned to the difficulties of holding such a system together for long. The solution of separating congregations so that preachers might proselytize only to the like-minded was an elegant, if unlikely, one, and over time he became absolutely certain that the like-minded would not remain so. Once unleashed, the centrifugal force of schism was difficult to contain. As his repeated appeals to the controversies between Arius and Alexander demonstrated, it was the fact that sectarianism was born out of contention between the hitherto like-minded that made it so fierce. Despite his earlier hopes, by 1668 Hobbes had fully abandoned difference without disagreement as a workable program, as his postmortem on the pesky Presbyterian preachers in *Behemoth* attests. If chap. 47 of *Leviathan* offered the historical and theoretical curiosity of an antievangelical, established independency, *Behemoth*'s endorsement of the prophylactic massacre of all

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would-be evangelists serves as a chilling coda, an epitaph to toleration as difference without disagreement as an unrealizable ideal.

VI. Conclusion: Beyond the (In)tolerant Hobbes

Hobbes may have abandoned it; however, the Hobbesian conception of toleration encapsulated in his convoluted endorsement of independency lives on. Today, for all of its paradoxes, difference without disagreement expresses an idea intuitive to many—namely, that one's conversionary efforts and expectations towards one's fellow citizens are themselves *intolerant*, and that certain forms of contumely, including religious insults and blasphemy, constitute forms of persecution against which a tolerant society can and should act. Hobbes's arguments against evangelism reflect the modern pluralistic intuition that proselytism is a violation of reciprocity as well as others' negative religious liberty—that is, their freedom *from* the religion of others.

Situating Hobbes vis-à-vis historical practices of toleration, as opposed to canonical theories, introduces a degree of institutional specificity sorely lacking in the "more tolerant Hobbes" debate, but it also draws attention to the wide variety of institutional arrangements that were—and still are—possible under the label of "toleration." In early modern Europe, these went well beyond a separation of church and state and individual rights of worship, association, and expression to include more or less latitudinarian forms of national establishment, strategic restrictions on office holding, preaching, and proselytism, as well as laws against religious insult. This same institutional variety—and even the same institutions—can be found among the many self-proclaimed "tolerant" societies around the globe today. Focusing on the restrictions Hobbes would have placed on speech in and about religion thus not only highlights the ways in which the "intolerant" vs. "tolerant" distinction falls short as an interpretation of his thought, it also raises serious questions about what might be at stake in applying those labels to Hobbes in the first place.

Few scholars would argue that Hobbes was a principled proponent of religious liberty or liberty of conscience, and some deny him admission to the liberal tradition on that basis.[49] For others, arguing that Hobbes was in favor of toleration is a way of co-opting him into grander narratives about the place of toleration within liberalism, whether for purposes of commendation or critique.[50] Either Hobbes is foundational to the liberal tradition, or he

[49]Judith Shklar, "The Liberalism of Fear," in *Liberalism and the Moral Life*, ed. Nancy Rosenblum (Cambridge, MA: Harvard University Press, 1989), 24.

[50]Curley links Hobbes's anticlericalism to a commitment to religious freedom, suggesting that Hobbes viewed "the clergy as an inherent threat, not only to the authority of the king, but also to religious liberty." Insofar as he wrote to undermine the influence of both, as "a card-carrying member of the radical Enlightenment… he served

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must be exiled from it. One way to discourage these implicit teleologies is by recognizing the existence of competing conceptions of toleration in the early modern period. The evangelical, disestablishmentarian approach developed by radical Independents like Williams and Milton may have contributed to the institutional and conceptual connections between religious freedom and free speech many modern liberals take for granted. But then as now, this connection was far from self-evident. For Hobbes, the freedoms of religion and expression were inconsistent both in practice *and* in principle. He did not reject the expansive forms of toleration put forward by his contemporaries because he was an intolerant bigot, but rather because he knew that others were.

Often in debating the question of Hobbesian toleration, it can feel as though the soul of liberalism hangs in the balance. Understanding the tension between these competing visions of a tolerant society helps explain why. But both tolerations—the evangelical strand represented by Williams and Milton and the antievangelical Erastian strand represented by Hobbes—belong to the liberal tradition. The tension between them has its roots in the seventeenth century, but it continues to play out in the twenty-first. For example, in contemporary debates about religious insult, the "free speech fundamentalist" approach taken by a Williams or a Milton will appeal to one side. Yet, "difference without disagreement" will have its proponents, as well. Hobbes might say to these competing liberal congregations what Paul did to the Corinthian Christians—that our differences are simply not worth disagreeing about. That such counsels of indifference rarely persuade sectarians, however, should not come as a surprise.

the cause of religious toleration" (Curley, "Hobbes and the Cause of Religious Toleration," 326).

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