

Rights and Authorization

1 Hobbes on “right”

“though they that speak of this subject, use to confound *jus*, and *lex*, *right* and *law*; yet they ought to be distinguished; because *RIGHT*, consisteth in liberty to do, or to forbear; whereas *LAW*, determineth, and bindeth to one of them: so that law, and right, differ as much, as obligation, and liberty; which in one and the same matter are inconsistent.” (Hobbes, 14.4)

2 Grotius on authority

“it may happen, that in a very large State, the inferior Powers may have Authority granted them to begin a War; which, if so, then the War may be reputed as made by the Authority of the Sovereign Power: *For he that gives to another the Right of doing a Thing, is esteemed the Author of it.*” (Grotius, 253)

3 Authorizing and criminal conspiracy

“Again, facts done against the law by the authority of another are by that authority excused against the author, because no man ought to accuse his own fact in another that is but his instrument; but it is not excused against a third person thereby injured, because in the violation of the law both the author and actor are criminals.” (Hobbes, 27.27)