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Political Power and Depoliticised Acquiescence: Spinoza and Aristocracy

Abstract

According to a recent interpretive orthodoxy, Spinoza is a profoundly democratic theorist of state authority. I reject this orthodoxy. To be sure, for Spinoza, a political order succeeds in proportion as it harnesses the power of the people within it. However, Spinoza shows that political inclusion is only one possible strategy to this end; equally if not more useful is political exclusion, so long as it maintains what I call the depoliticised acquiescence of those excluded.

0. Introduction

In recent times, political theorists have shown increased interest in Spinoza's political philosophy. The key feature of this philosophy is a non-judicial analysis of sovereignty. Sovereign power is not understood first of all as an authority but as a concrete capacity, a capacity to maintain the civil order, or in other words, to maintain the compliance of civil subjects. Sovereignty so conceived must concretely and continually be achieved from the very people over whom it is exercised. But this task is difficult: there is a limit to what people can be brought to do through repressive means, and correspondingly, sovereign power is vulnerable in the face of the recalcitrant power of the masses.

One reason for interest in Spinoza's philosophy is that his non-judicial analysis of sovereignty appears to offer novel conceptual resources for contemporary

democratic theory. It is commonly claimed that Spinoza's non-judicial analysis leads him to defend a fundamental privilege for democratic forms. In a democracy, conceived as a regime of political inclusion, the people to be ruled no longer stand opposed to the sovereign power, but instead are included as equal rulers within it. Democratic inclusion is used as a general lens through which to understand all of Spinoza's politics. In Mugnier-Pollet's words (1976, 238), the democratic state is 'the truth of political life'¹ (see also Steinberg 2010, 148; Balibar 1989, 126; James 2008, 129; Matheron 1998, 217; McShea 1968, 123; Mugnier-Pollet 1976, 249-52; Negri 1998, 227, 231; Sharp 2013, 139, 141).² However, in this paper, I argue to the contrary that Spinoza entertains two different responses to his non-judicial analysis of sovereignty. Political inclusion is not the only way to shore up sovereign power; another approach would be non-repressive political exclusion, or what I will call a strategy of depoliticised acquiescence, exemplified in the virtuous aristocratic republics of Spinoza's time. I argue that for Spinoza the exclusionary route is viable and sometimes even preferable to the inclusionary route.

Spinoza's idea of depoliticised acquiescence is a useful tool of analysis to understand the establishment and maintenance political order. If contemporary readers find political exclusion normatively objectionable, it is not clear that Spinoza is the thinker to whom to turn for support. Perhaps Spinoza is more positively disposed to popular political participation than other writers in the early modern

¹ 'la vérité de la vie politique: l'Etat démocratique'

² There are only very few dissenting voices: Feuer (1958, 161), Prokhovnik (2004, 175, 181).

republican tradition, but he does not provide some profound metaphysical ground for political inclusion over exclusion.

1.

Spinoza might seem obviously entitled to his reputation as a democrat. His *Theologico-Political Treatise* (Spinoza 2001 [=TTP]) argues that the democratic state seemed the most natural form of state, approaching most closely to that freedom which nature grants to every man. For in a democratic state nobody transfers his natural right to another so completely that thereafter he is not to be consulted; he transfers it to the majority of the entire community of which he is a part. In this way all men remain equal, as they were before in a state of nature. (TTP 16/179) In other words, democracy is immediately and intrinsically the best regime, because inclusive democratic procedures approximate the natural condition of freedom and equality (see also TTP 5/64, 20/228; Haitsma Mulier 1980, 180). However, I follow key commentators Negri (1998, 220-1) and Steinberg (2010) in finding this argument far from decisive. For in his later *Political Treatise* (Spinoza 2000 [=TP]), Spinoza finds democracy neither necessary nor sufficient for freedom³, and the *Political Treatise* might reasonably be taken as the authoritative view, insofar as it was written later.

In the *Political Treatise*, Spinoza instead develops a clear non-intrinsic standard for assessing political regimes. Any political order is measured against its contribution to an independently conceived purpose of politics, namely, political security, consistent with individual ethical development. In this section, I lay out this standard, showing its connection with Spinoza's concepts of being in control of one's

³ Steinberg (2010, 150-1) demonstrates this point by appeal to TP 9.14 and TP 7.31.

right (*sui juris*) and being absolute, before going on in subsequent sections to measure regimes of political inclusion and exclusion against it.

At the start of the *Political Treatise*, Spinoza baldly asserts that 'the virtue of a state is its security' (TP 1.6); later he reiterates that the 'purpose of the civil order is [...] is nothing other than peace and security of life' (TP 5.5). By contrast, Spinoza's *Ethics* celebrates the life led by reason rather than enslaved to the passions as the goal of human ethical development (Spinoza 1994 [=E], IVP24, IVP66S). This is no inconsistency: for political disorder rouses the most intense and disturbing passions; Spinoza himself had to be restrained from speaking out in reckless rage in response to an episode of mob violence (Feuer 1958, 138-9). Even if ethical perfection may be important, it cannot be pursued and developed effectively until security is established.

The focus on security echoes the political thought of Hobbes (2006 [=DC]), to whom he is indebted. Hobbes for his part argues security and peace are obtained by fractious and conflictual individuals handing over their natural right to a sovereign who will then wield an absolute right over the entire populace (DC 6, 7). By contrast to Hobbes's juridical analysis, Spinoza notoriously refuses any conception of right which runs separate from concrete capacity, asserting to the contrary that 'the natural right [*ius*] of every individual is coextensive with its power [*potentia*]' (TP 2.3; see also TTP 16/173). Nonetheless, even with a different background conception of right, he shares Hobbes's conclusion that a peaceful civil order requires a sovereign power ruling absolutely over subjects.

The argument runs as follows. Whatever an individual in fact does, they have the power, and correspondingly the right, to do (TTP 16/174; TP 2.4-5). Sometimes the power driving their conduct will be their own, and they are said to be in control of their own right (*sui juris*). But sometimes the power belongs to another, as for

instance if their conduct is driven by fear of the other's threats; in this case, they are said to be subjected to the other's power (*sub alterius potestate*). Their conduct is rightful, but it belongs to the other's right (*alterius juris*), and not their own (TP 2.9-11). An individual in the state of nature can only avoid being subject to anyone else's right if they can constantly ward off subordination to the power of others. But taken alone, any individuals' power is only very slight and inadequate to this purpose, so their right 'is of no account and is notional rather than factual, since there is no assurance that it can be made good' (TP 2.15) If instead individuals join their powers together, or equivalently, hold their rights in common, then their shared power and right is greater (TP 2.13). If a whole community joins powers, then the communal right will be very great. Spinoza describes this as a union of individuals into a single body (TP 2.15), in which individuals 'are all guided, as it were, by one mind' (TP 2.16).

The name for the communal right corresponding to the communal power is sovereignty or *imperium*, and its right is defined by the powers of all the individuals of the society taken together, or in other words in the power of the multitude (*multitudinis potentia*) (TP 2.17). By extension, Spinoza uses the term *imperium* for the domain regulated by sovereignty, or in other words, the state. Another very closely related term is the commonwealth (*civitas*), the body of the state (*imperium*) in its entirety (TP 3.1). The structure of the state or commonwealth is not only a horizontal composition of powers, but also a vertical subjection to the resultant common power. Each individual's power and right will be of little account compared to the communal right. But so long as an individual submits to the communal standards of conduct, they are able to do many more things than in the state of nature,

even as they no longer act from their own power and right but rather from the power and right of the commonwealth (TTP 16/175-77; TP 3.2-5).

Insofar as subjects hold no right against the state,⁴ the state is in control of its own right, or equivalently, in a terminology introduced later in the text, the state is absolute (*imperium absolutum* or *ius civitatis absolutum*) (TP 5.2, 8.3-5, 8.7, 11.1-2). Under these circumstances, peace and security are achieved. Hobbes similarly identifies absoluteness as the key to achieving peace and security. But under Spinoza's non-juridical analysis, the meaning of this absoluteness is transformed. For Hobbes, in all commonwealths the sovereign's right is equally absolute via its very construction (DC 5.11, 6.13). Spinoza by contrast conceives of absoluteness as a variable property. The state's right and power is nothing other than the power of the multitude, but different states are better or worse at harnessing their subjects' powers, so correspondingly, different states are more or less in control of their own right. Harnessing the people's power is not simply a matter of seizing their arms and wealth: for even without any resources, the state is still threatened by its subjects' non-cooperation. Insofar as a state has reason to fear their people withdrawing compliance, conspiring to overthrow their rulers, this is an index of the state not being in control. (TTP 17/185)

There are certainly some things to fear for a commonwealth, and just as every citizen, or every man in the state of nature, as he has more reason to fear, is the less in control of his own right, the same is true of a commonwealth (TP 3.9). A non-absolute political order is one which fails to establish robust compliance, instead being characterised by a fragile or patchy combination of powers, perhaps in the form of wickedness and wrongdoing of its subjects, perhaps in the form of their

⁴ And presuming the state is not subject to a foreign power (TP 3.11-16).

rebellion, fragmentation and factionalism. *In extremis*, such a political order may dissolve into civil war (TP 5.2). By contrast, an absolute state is one that has overcome the possibility of popular conspiracy: instead, it displays most perfectly individual's continued moment-to-moment compliance with the command of the holder of its sovereignty. It is the one 'where men live together in harmony and where the laws are preserved unbroken' (TP 5.2; see also Balibar 1989, 106-7, 116-119, 121).

For Spinoza the commonwealth's absoluteness is not achieved by a contract stipulating how people are rationally obliged to behave, but rather it is continually being generated or eroded by how they actually do behave. Thus the core of Spinoza's political philosophy is his modelling of this behaviour. Amongst political authors in Spinoza's library, Hobbes (DC 2.16, 5.8) and Machiavelli (1998, Chapter 17) focus on the popular passion of fear as the preeminent lever for state power. Spinoza by contrast argues that a state's efforts to achieve absoluteness through fear will generally be unsuccessful. Fear is limited and unreliable because human behaviour is much more complexly driven: not only by fear, but also by hope, hate, love, ignorance, and other passions, as well as by some degree of reason. A tyranny operating by fear alone will sow the seeds of its own instability and destruction:

For as long as men act only from fear, they are doing what they are most opposed to doing, taking no account of the usefulness and necessity of the action to be done, concerned only not to incur capital or other punishment. Indeed, they inevitably rejoice at misfortune or injury to their ruler even when this involves their own considerable misfortune, and they wish every ill upon him, and bring this about when they can. (TTP 5/63)

This seditious hostility to the ruler will arise most sharply if the government actions intended to increase the fearfulness of subjects also rouse the subjects' indignation and hatred (TP 3.9).⁵

Although he does not believe it to be common, Spinoza grants the possibility *in extremis* of a regime that achieves popular compliance and security through fear alone. Following the European early modern received wisdom, he represents the Turkish state as a regime of hyperintensified repression, terrifying and brainwashing the people so thoroughly that no resistance is left. Its subjects obey not 'to engage in living' but 'simply to avoid death' (TP 5.6, also 6.4). The hyperrepressive regime poses a problem for the coherence of Spinoza's philosophical system insofar as it creates a conflict between political and ethical values: for it is technically absolute (TP 5.6), but its subjects are blocked from any ethical development. Spinoza solves this conflict by stipulation: he clarifies that the security which defines the good state does not merely protect bare living, but 'human life, which is characterised not just by the circulation of blood and other features common to all animals, but especially by reason, the true virtue and life of the mind' (TP 5.5; see also TP 2.15). In other words, the standard for assessing political regimes is security, but only insofar as it does not foreclose ethical development.

Within this framework, fear emerges as a legitimate tool of politics, but one to be used sparingly. Spinoza envisages better political orders that maintain the humanity of their subjects yet avoid popular indignation, by combining fear with a range of passions such as love or respect (TTP 17/185-7; TP 4.4). Such passions

⁵ Indeed, Machiavelli (1998, 67) is careful only to recommend fear if hatred can be avoided.

generate more robust allegiance to the commonwealth, such that subjects might continue to comply even when the ruler encounters misfortune or has their guard down. These passions are not brute givens; they are in turn understood as the joint outcome of multiple aspects of the political order, including but not limited to the formal designation of the holder of sovereignty; all the minute institutional details of the regime's structures; the specific content of the state's commands and politics; and the background capabilities and sentiments of the populace. In the *Theological-Political Treatise* Spinoza is doubtful that popular passions can ever be robustly harnessed by the state:

[T]he position has never been attained where the state was not in greater danger from its citizens than from the external enemy, where its rulers were not in greater fear of the former than the latter. Let Rome be witness, unconquerable by her enemies, yet so often conquered and wretchedly oppressed by her own citizens (TTP 17/187)

By contrast, the *Political Treatise* expresses a cautious optimism. The text delves into the complex possibilities of institutional design for each of the various state forms, and suggests that perhaps a state with well enough calibrated institutions might achieve absoluteness; these institutional possibilities will be the focus on the following sections.

2.

The key question for this paper is the connection between democracy and absoluteness. Although sovereignty is generated from the power of the people, Spinoza allows it to be held by an individual or an assembly. He follows Hobbes in schematising three regime types: monarchy, aristocracy, and democracy (DC 7; TTP 16/177-79; TP 2.16-17). Spinoza died only a few paragraphs into the *Political Treatise's* discussion of democracy; monarchy and aristocracy take up the majority of

the book's pages. But even in Spinoza's incomplete manuscript he twice links his favoured non-judicial absoluteness to democracy:

[A:] For if there is such a thing as absolute sovereignty, it is really that which is held by the people as a whole [*quod integra multitudo tenet*]. (TP 8.3)

[B:] I pass on at length to the third kind of state, the completely absolute state which we call democracy. (TP 11.1)

Furthermore, it is commonly claimed that a democratic tendency undergirds his analysis of other regimes. In Steinberg's words (2010, 148), 'when we look at the organizational recommendations that Spinoza makes, we find that they are effectively democratic, by which I mean they foster the participation of the masses in governance and lead to the diffusion of political power' (see also Balibar 1989, 126; James 2008, 129; Matheron 1998, 217; McShea 1968, 123; Mugnier-Pollet 1976, 238, 249-52; Negri 1998, 227, 231; Sharp 2013, 139, 141). In this section, I present arguments supporting Steinberg's view that Spinoza's organisational recommendations for non-democratic regimes all push in a democratic, inclusive direction, and that political inclusion more generally renders a regime more absolute. In the subsequent sections I will question this view.

The argument for the general democratic credentials of Spinoza's political philosophy, and the reasoning behind the quotes A and B from above, finds its most obvious textual support in Spinoza's discussion of monarchy. Spinoza argues that classic Hobbesian 'absolute' monarchy, with personal rule by a supreme monarch unconstrained by other institutions, radically fails to be absolute. Unable to bear full sovereign power effectively, the monarch will end up operating with a *de facto* aristocracy of their advisors, guards and confidantes: 'so that the state, which is thought to be purely a monarchy, is in actual practice an aristocracy - not indeed overtly so, but a concealed one - and therefore of the worst kind' (TP 6.5). A

concealed aristocracy has no formally regulated decision structure, and so sovereign power risks being captured by the monarch's advisors and bent to their own desires and whims. Even the rule of an otherwise diligent monarch will be interrupted by their own sickness and death, and by the youth of their successor. Furthermore, this kind of personal monarchy has a narrow power base. The monarch fears rebellion, therefore they plot against the populace, most especially against the outstanding figures in society with respect to wealth or wisdom. The monarch even fears being deposed by their own inner circle, and so they conspire to ensure their own heirs are politically inept (TP 6.5-7). These problems reinforce one another: hostile rule by the monarch contributes to the discontent of the masses and elite, compounding the danger that they pose to the monarch's rule, and hence intensifying the monarch's reason for fear.

The problems arise from the exclusive form of rule; they are largely solved by making it inclusive: by formally establishing a quasi-democratic advisory council to support and constrain the monarch. The monarch alone is the holder of sovereign power, but Spinoza argues that monarchy is more powerful and absolute in proportion as the king's own powers diminish and the council rules (TP 6.8, 7.1). Spinoza's preferred model for the council is strikingly inclusive and nonhierarchical: the council's members are drawn from clans encompassing the entire populace; clans are all considered equal; and no decisions are made unless all members of the council are present (TP 6.16, 6.22-23). Thus even in discussions of monarchy, Spinoza's democratic credentials are allegedly bolstered (Balibar 1989, 126; Mugnier-Pollet 1976, 227-32).

Commentators have asserted various mechanisms by which increased political inclusion contributes to absoluteness, not only for monarchy but more generally. I

schematise three main pathways: status equality, outcome equality, and outcome rationality.

First, status equality. Spinoza identifies a general human desire for equality of political status:

[I]t is a fact that everyone would rather rule than be ruled, "for no one willingly yields sovereignty to another". (TP 7.5)

Subjects will be hostile to any regime of political exclusion:

[M]en are impatient above all at being subject to their equals and under their rule. (TTP 5/63)

Without institutions conforming to their feelings of equality, faction and unrest can erode compliance. A key example is the downfall of the ancient Hebrew republic: on Spinoza's analysis, the unrest which destabilised the republic originated in popular resentment of the special status of the Levite tribe (TTP 17/200-202). To the extent a regime comes closer to satisfying the desire for equality, it thereby reduces the sovereign's cause for fear and increases its absoluteness (Matheron, 1998, 216-7). Democracy achieves status equality in exemplary degree, but this logic is evident even within the other regime forms: as well as seeking to expand participation in political assemblies in monarchy and aristocracy (TP 6.16, 8.3), Spinoza insists on enshrining and upholding status equality within the patriciate in an aristocracy, and amongst the citizenry within a monarchy (TP 7.18, 8.30).

Second, outcome equality. Spinoza connects subjects' compliance with their perception that the regime is attending to their interests. He asserts that a state should pursue as its chief aim 'that which sound reason teaches us is for the good of all men [*omnibus hominibus utile*]' (TP 3.7). In this way all will see and experience the benefit from the state's actions, increasing their love and respect for it. The very structure of democratic inclusive representation institutionally includes the interests

of all subjects (TP 7.4). By contrast, non-democratic regimes risk serving the interests only of the ruling class, unless they find some other mechanism to channel the interests of those excluded from power, such as Spinoza's proposed advisory council in a monarchy (TP 6.8). In James's words (2008, 138),

Under a democratic constitution, a state therefore increases its chances of devising laws, and indeed other institutions, that are responsive to the values and desires of its subjects and are consequently likely to be willingly obeyed.

Third, outcome rationality. Spinoza links subjects' compliance to the wisdom and consistency of decisionmaking; for erratic, stupid, foolish, or misconceived governmental projects have poor practical outcomes, diminishing subjects' loyalty to the regime. This might not obviously connect to democratic inclusion, but Spinoza puts forward what Steinberg has called an 'epistemic' argument for democracy (Steinberg 2010, 153-5; Balibar 1989, 124; Curley 1996, 317). Against the contempt often directed to the masses in his time, Spinoza has no scorn for the common people's capacities to reason, especially when brought together in a group. Quite the opposite: a single individual or a small clique of rulers can make foolish mistakes, whereas 'it is practically impossible for the majority of a single assembly, if it is of some size, to agree on the same piece of folly' (TTP 16/178; see also 7.4, 8.6, 9.14). Hence, democracy is better positioned to rule rationally, and thereby retain subjects' allegiance and compliance; aristocracy and monarchy approximate this by establishing and increasing the size of their political assemblies.

3.

The argument of the previous section linked absoluteness to democratic inclusion, and posited that even aristocratic and monarchical regimes will be optimised and made more absolute by being more inclusive. There is an immediate textual problem for this argument. Spinoza is quite explicit that aristocracy does not

tend to democracy, and he strongly discourages aristocracies from extending political power to the masses. But at the same time, aristocracy is said to be 'quite absolute', and more absolute than monarchy (TP 8.3-4, 10.9). How can a regime which rigorously maintains exclusion be said to be quite absolute? In this section I develop a Spinozist theory of political exclusion, via what I will call a strategy of depoliticised acquiescence, to contrast with the theory of inclusion favoured in the previous section.

Speaking about an assembly of patricians, Spinoza states that

[T]he sovereignty conferred on a council of sufficient size is absolute, or comes closest to being absolute. (TP 8.3)

On the standard interpretation, this shows that even when he defends aristocracy, he at the same time seeks to expand indefinitely its council and thereby move it closer to democracy. To the contrary, I argue that it is aristocracy as such that is endorsed, and not aristocracy as crypto-democracy. It is true that Spinoza calls for a large patriciate (aristocratic ruling class) and a large assembly, and criticises aristocracies with too narrow a patrician base. But he does not call for the continuing democratisation of the aristocratic order. While he allows the possibility of a patriciate constituting the majority of the population, he defends the absoluteness of a model polity in which the patriciate is only 2% of the total male population, with a stark status inequality between patricians and commoners (TP 8.13). Furthermore, Spinoza very explicitly rejects the need to supplement the aristocratic sovereign with any wider council or appeal to the people. To the contrary, he calls for a strict refusal to establish channels of wider popular input: the people are 'debarred both from offering advice and from voting' (TP 8.4). In the following sections he belabours the point that in aristocracy 'sovereignty never reverts to the people', sovereignty 'does not involve any

consultation of the people' (TP 8.4); and yet at the same time it is 'quite absolute' (TP 8.4).

Spinoza does not deny that an aristocratic regime may have reason to fear its politically excluded commoners. Indeed, an aristocracy fails to be absolute if the people is an object of fear to the sovereign, for then the people thereby 'maintain[s] some degree of freedom for itself, which it asserts and preserves, if not by express law, by tacit understanding' (TP 8.4). For example, in the case of aristocratic Lower Germany, where the common people excluded from sovereignty assert rights against the state via their Guilds, Spinoza grants that this detracts from the absoluteness of the aristocratic rule (TP 8.5). But he claims that the state's fear can be addressed not by enfranchisement or consultation but by crushing the people's independence, finding a way to decrease their assertiveness.⁶

It is therefore clear that this kind of state will be most efficient if it is so organised as to approach absolute sovereignty; that is, if the people are as little as possible an object of fear and if they retain no freedom except such as must be necessarily granted by the constitution of the state itself. This freedom is therefore a right belonging not so much to the people as to the state as a whole, a right which is upheld and preserved solely by the aristocrats as their own concern. (TP 8.5)

Overall, the disempowerment of the commoners in an aristocracy is said to be not merely efficient, but also more in agreement with the dictates of reason (TP 8.5-7). In sum, aristocracies take what I will call the exclusionary route to absoluteness. Rather

⁶ On Balibar's reading (1989, 122-27), TP 8.4 asserts that the commoners in an aristocracy are a source of fear. For Balibar, this shows that aristocracy can never be really absolute. But to the contrary, TP 8.4 puts forward a conditional: *if* the commoners are a source of fear, *then* absoluteness is in jeopardy. Correspondingly, the challenge is to find a way to stop them from inspiring fear, as per TP 8.5.

than incorporating the people into the sovereign, aristocratic regimes rigorously exclude them, debarring them from voting and political participation.

This would have been unremarkable within the early modern republican tradition in which Spinoza is writing, for which aristocratic Venice, known as the *Serenissima* (most serene) republic, served as the exemplar of a virtuous and stable republic (TP 8.3; Feuer 1958, 158-9; Haitsma Mulier 1980, 5-13). The challenge is to reconcile this exclusion with Spinoza's earlier analysis of absoluteness which seemed to require inclusion. I do so first, by drawing a disanalogy between monarchy and aristocracy; and second, by thinking more broadly about the possible ways in which the people's compliance can be harnessed, apart from their political inclusion.

Many commentators presume no qualitative but only a quantitative difference between monarchy and aristocracy, and presume that the lessons learnt from monarchy apply equally to aristocracy (Balibar 1989, 126). Consequently, they defend Spinoza's democratic credentials simply by noting his attack on rule by the one or the few (Sharp 2013, 141; Steinberg 2010, 150, 155).⁷ However, this frame is entirely inadequate, as it leaves out the crucial middle ground, where there is a moderate sized group ruling, as exemplified by Spinoza's broad aristocracy. Spinoza himself cautions

Now before we can determine the foundations on which an aristocratic government must rest, we must note the difference there is between government in the hands of one man and government in the hands of a sufficiently large council, a difference which is indeed quite considerable. (TP 8.3)

⁷ Steinberg notes in passing that republicanism isn't tantamount to democracy (2010, 160n16), but does not go on to consider how the logic of aristocracy might differ to that of democracy.

None of Spinoza's arguments against the one or the few ruling will apply to the broad aristocracy.

In aristocracy, the holder of sovereignty is not a single natural person: to the contrary, it is a class of people, the patriciate, who act through a ruling council. It is important that this class not be extremely small, or it will be subject to many of the same problems suffered by a personal monarchy. However, suppose we consider the models of aristocracy that Spinoza endorses, in which a state of a medium size has a patriciate with five thousand members, yielding one hundred individuals to take office in the ruling council (TP 8.1-2, 8.13). Spinoza argues that such an aristocracy can escape the problems of power and rationality faced by the monarchy, and therefore does not need forms of political inclusion beyond the sovereign patriciate. First, whereas the single person of the monarch cannot carry the full power of government and consequently fears the populace, a sufficiently large patriciate can. Second, whereas the single person of the monarch is incapable of the wise and constant rule that might assuage the population's hostility, a patrician assembly can: its deliberation doesn't suffer natural disruptions due to individual sickness and death, and its multiple internal voices allow for a multifaceted consideration of issues (TP 8.3). These positive possibilities are realised and made robust through carefully crafted institutional design. In order that the patriciate might have sufficient power, Spinoza recommends that the resources and statuses of power be concentrated on the patricians and denied to the commoners. Make the head of the armed forces a patrician (TP 8.9); make the capital city, where the bulk of the patricians live, more powerful than other cities (TP 8.8). In this way the commoners do not have an easy foothold to threaten the patriciate. In order that the patriciate might rule rationally, the size of the patriciate and its distribution across clans must be maintained over time; if

the patriciate shrinks too much, factionalism rears its head, and in any case, there will be too few capable individuals to take office (TP 8.1-2, 8.29-31). Furthermore, aristocrats are required to subscribe to the official religion of the state, also in order to avoid internal faction (TP 8.46). A body of syndics should be established to uphold the laws pertaining to fundamental political procedures and offices (TP 8.19-26). And finally, although a senate should be established to conduct business, it must remain subordinate to the supreme council, and its remuneration must be designed such that it finds more benefit from peace than war (TP 8.29-31).

Not only would political consultation and participation beyond the sovereign patriciate be unnecessary, it would be positively harmful. Spinoza argues that any difference between the will of the holder of sovereignty and the law opens up the possibility of conflict between the holder of sovereignty and its council, and thereby reduces the absoluteness of the commonwealth. In the well-ordered monarchy, not everything the monarchical sovereign wills is law, because it is constrained by its advisory council; but a sufficiently large aristocratic assembly, not burdened by any external advisory council, can have its will as law (TP 8.3). Consequently, an aristocracy that disempowers the commoners

will be no less secure than a monarchy. On the contrary, it will be that much more secure and its condition that much superior as it comes closer than monarchy to absolute sovereignty, without endangering peace and freedom. (TP 8.7)

Spinoza cautions that some of the 'foundations of peace' discussed in connection with monarchy are not general foundations, but to the contrary they were 'peculiar to monarchy' and 'unsuited to this form of state [ie to aristocracy]' (TP 8.7). We can understand Spinoza's support for establishing a consultative assembly in monarchies as a compensation for the grave deficiencies of the monarchical form; these deficiencies are not shared by aristocracy.

In sum, the considerations which in the case of monarchy justified further political inclusion outside of the holder of sovereignty do not apply to a well ordered aristocracy. Nonetheless, Spinoza's claim that such an aristocracy is 'quite absolute', despite the political exclusion of the vast majority of the populace, remains puzzling. If an aristocracy is to be absolute, it must achieve the compliance of the commoners, and not have reason to fear conspiracies. I observed above that Spinoza recommends institutional measures to shore up the rationality of the aristocratic assembly. In this way, to return to my schema from earlier, he ensures that there is outcome rationality. But should not a well-ordered aristocracy be expected to face a threat from the commoners' attachment to status and outcome equality? Through institutional measures to empower patricians and disempower commoners, he ensures that the holder of sovereignty is very powerful, making it difficult for commoners to act on any dissatisfaction with inequality. But this is radically insufficient to rule out conspiracies and thereby achieve absoluteness: a central idea of Spinoza's political philosophy is that popular recalcitrance is always possible. No matter how impoverished and dispossessed, human beings still hold their own bodies and lives.

[M]en have never transferred their right and surrendered their power to another so completely that they were not feared by those very persons who had received their right and power, and that the government [*imperium*] has not been in greater danger from its citizens, though deprived of their right, than from its external enemies. (TTP 17/185; 3:201)

The commoners of an aristocracy always retain the possibility of noncooperation or sedition despite their lack of resources.

To make sense of Spinoza's exclusionary route to absoluteness, I consider two stories Spinoza provides, one historical and the other geographical, which suggest why commoners might accept their political exclusion rather than fight against it. In

the historical case, groups develop a differentiated sense of entitlement to status and benefits corresponding to the historical sequence of their entry into the body politic.

[A] people in search of new territories, when it has found them and cultivated them, retains as a single body an equal right in government, because no one willingly grants sovereignty to another. But although each of them thinks it fair that he should have against another the same right as the other has against him, yet he thinks it unfair that foreigners who come to join them should have equal right with them in a state which they have won for themselves by toil and held at the cost of their blood. Nor do the foreigners themselves make any objection to this, having come to settle there not with view to being rulers but to promote their private interests, and they are quite happy provided they are granted freedom to transact their own business in security. (TP 8.12)

In the geographical case, the different spatial and economic forms of life ground an acceptance of inequality: Spinoza notes that many aristocracies are structured as urban patricians ruling over rural peasants (TP 8.3). Indeed, the exemplary historical case of Venice combines both elements: a migrant population established a democratic order for itself on the previously uninhabited islands of a lagoon, then rural farming communities came to adjacent lands to support it, without being admitted as citizens (Feuer 1958, 167; Haitsma Mulier 2010, 5-13).

Linking these two stories together is what I will call the 'depoliticised acquiescence' of those excluded. This is the compliance of those politically excluded, based not on repression but on voluntary acceptance of political inequality. The acquiescence is depoliticised in the sense that those excluded do not attempt, even informally, to influence politics: in this respect they are unlike the guild members mentioned earlier. When the commoners' depoliticised acquiescence is cultivated, they do not constitute a source of fear to the sovereign. But like other human attitudes, it has certain causes that maintain and consolidate it, and others that erode it. Insofar as commoners are effectively foreigners, excluded from political rule,

Spinoza reasons that they need to be given material incentives for allegiance (TP 8.9-10). These material incentives do not establish them as equals, but they must be sufficient for the commoners to live a moderately comfortable life without gross abuse. Specifically, Spinoza suggests allow commoners to own land (unlike monarchy, where it is rented) (TP 8.10); draw soldiers from the commons and pay them for their labour (unlike monarchy and democracy, where soldiers are not paid but are compensated by their right to vote) (TP 8.9); establish a body of syndics that can defend the commoners, especially against unjust court cases (TP 8.41).

This inequality stands in apparent tension with Spinoza's assertion that a commonwealth, if it wishes to be absolute, must rule in accord with what reason dictates is to the 'good of all men [*hominibus omnibus utile*]' (TP 3.7). However, the tension disappears if we stop reading his assertion through an egalitarian lens. In an aristocracy, there may be an accepted hierarchical conception of the benefit owed to different elements of society. If commoners accept that their entitlement is not equal to that of a patrician, resentment of patricians would arise only when patricians deprive commoners of their entitlement. It would be easy to mount a Marxian critique of the class interest embedded in such rule, against its official protestations to advance utility for all. But equal consideration is not in itself a goal for Spinoza's politics, rather it is a tool used in proportion as it helps, in a given circumstance, to improve the state's absoluteness. However it may offend contemporary egalitarianism, aristocratic rule does not violate the conditions of Spinoza's absolutism, even if it gives an advantage to the patrician class, so long as it garners commoners' non-resentful compliance.

On this analysis, attachment to status equality and outcome equality is not a general rule of human behaviour, but rather a rule applying to populations only under

particular historical and geographical circumstances. Throughout history, there have been protests against tyranny and oppression. But demands for political equality by the downtrodden have constituted the exception rather than the rule. Politically threatening challenge to hierarchical conceptions of political order has become widespread only in the centuries after Spinoza was writing (Tocqueville 2006, 13-14). Lest the ancient Greeks be held up as exemplars of democracy and inclusion, it might be useful to consider not only the obvious slave populations, but more interestingly, the considerable disenfranchised metic populations in their cities.

Even if it is granted that a hierarchical and exclusionary regime can be absolute, one might object that such a regime is ruled out for other reasons. Recall that the goal of security developed in Spinoza's political works is rigorously constrained by its compatibility with human ethical development, as articulated most fully in the *Ethics*. Spinoza asserts that 'a commonwealth whose peace depends on the sluggish spirit of its subjects who are led like sheep to learn simply to be slaves can more properly be called a desert than a commonwealth' (TP 5.4). For aristocracy to be acceptable, commoners' acceptance of aristocratic rule must be voluntary and non-slavish; indeed, I build this into my definition of depoliticised acquiescence. But is this even incoherent? Surely the deep and permanent inequality of political status and benefits attests to the poor bargaining power of the commoners, therefore any commoner's assent to aristocracy comes under pressure and is slavish rather than truly voluntary?

To the contrary, depoliticised acquiescence can be genuinely voluntary. Spinoza distinguishes slavish obedience from non-slavish obedience insofar as non-slavish obedience leaves open the possibility of a properly human life, which is characterised by 'reason, the true virtue and life of the mind' (TP 5.5); relatedly,

obedience can be non-slavish when it is undertaken not only 'to avoid death', but also 'to engage in living' (TP 5.6). Against this standard, Spinoza's aristocracy is in no way a slave state, despite its unequal power relations. The commoners still secure many material benefits from their obedience, as outlined earlier. Furthermore, the spirit of the commoners is not 'sluggish' in general; it is merely disengaged from politics. In other respects, their spirit can be as vibrant as you like: there is freedom of religion and conscience, freedom of non-seditious speech, and the possibility of diverse occupations and life paths; indeed commoners have more religious freedom than patricians (TP 3.6, 3.10, 8.46). Thus the ethical development of the individual is eminently provided for. Indeed, Aristotle had only *metic* (resident alien) status in Athens; this did not appear to prevent him from achieving a very high degree human flourishing against Spinoza's standards.⁸ In sum, for Spinoza there is no inconsistency between political exclusion and his ethical commitments when considering the status of commoners in a well-ordered aristocracy.⁹

4.

I have argued that Spinoza is not fundamentally a democrat by demonstrating that there is no general democratic underpinning to his political philosophy: in particular, a well-ordered aristocracy, characterised by rigorous exclusion, is celebrated as 'quite absolute', and more absolute than a democratised monarchy. But this argument is not yet sufficient: for Spinoza may grant the possibility of an

⁸ Although perhaps not against Aristotle's own standards (2013, 3.4), which include being a citizen ruling and being ruled in turn.

⁹ By contrast, the ethical development of women and servants is arguable impaired by their status as personal dependents (TP 6.11, 8.14, 11.3-4).

absolute exclusive regime, yet at the same time assert an overriding privilege to inclusion and democracy. Indeed, two key passages appear to show this is the case:

[A:] For if there is such a thing as absolute sovereignty, it is really that which is held by the people as a whole. (TP 8.3)

[B:] I pass on at length to the third kind of state, the completely absolute state which we call democracy. (TP 11.1)

In this section, I complete my argument by deflating the apparent democratic triumphalism of these passages, against two schematised objections that I draw out of contemporary democratic commentaries on Spinoza.

The first line of objection might grant that there is a possibility of exclusionary absoluteness, but nonetheless invokes passages A and B to defend the superior absoluteness to be gained through inclusion. On this reading, Spinoza advocates all regimes pushing towards inclusion and democracy. Most famously, Negri (1998, 234, 239-41) identifies a tendency in the mass democratic subject (the multitude) towards absoluteness, so long as it is not blocked by institutions hostile to its power, such as the aristocratic state. Perhaps Spinoza talks so much about aristocracy and offers advice for how to 'preserve the form of the state without any notable change' (TP 6.2, see also 7.25) only as a pragmatic concession to the preferences of own patrician compatriots in the aristocratic Dutch republic (Mugnier-Pollet 1976, 236).

I argue to the contrary that for Spinoza, democracies often fail to be absolute, and the democracy established by political transition will generally be less absolute than the exclusionary regime preceding the transition. Consequently Spinoza only offers very circumscribed support for a transition from non-democratic regimes to democracy, and his discussion of aristocracy is not a mere concession to the vested interests of the *status quo*.

Recall earlier I drew attention to the central place of the passions in Spinoza's analysis of political order. In brief,

a constitution cannot stay intact unless it is upheld both by reason and by the common sentiment of the people; otherwise, if for instance laws are dependent solely on the support of reason, they are likely to be weak and easily overthrown. (TP 10.9)

Spinoza observes that no states 'have proved so short-lived as popular or democratic states, nor have any been so liable to frequent rebellion' (TP 6.4). Due to the incompleteness of the *Political Treatise*, he does not provide a systematic analysis of the sources of this instability, but we can reconstruct an account, identifying two key kinds of sentimental mismatch that can afflict a democracy, preventing it from achieving absoluteness.

First, a general problem for politics is groups feeling more attached to their own private gain than to the public good (TTP 17/187). In a democracy, there may be potential lines of cleavage along divisions of religion, ethnicity, geography. Groups may be activated into rebellion whenever they feel that the majority decision does not sufficiently respect their interests. Cleavages may be amplified in times of hardship as groups seek easy scapegoats for their troubles (TP 1.5, 2.14; TTP Pref/1). Such group dynamics may also erode the capacity of a democratic assembly to deliver outcome rationality: it is not so uncommon for popular assemblies to agree on folly.¹⁰

Reconstructing the content of Spinoza's incomplete chapter on democracy, Field has demonstrated that a democratic state will not be successful unless it features elaborate

¹⁰ Steinberg (2010, 154) notes that Spinoza's defence of epistemic democracy presupposes 'good cognitive conditions', but he only gives a very cursory account of how to bring such conditions about.

institutional mediation to encourage commitments to the common good rather than to private gain, to bring mass anxieties under control, and to strengthen the quality of the democratic assembly's deliberations (Field 2012, 21-40).

Whereas the first kind of sentimental mismatch is potentially meliorable via well-designed democratic institutions, there is a second kind which is better addressed by non-democratic institutional forms. Consider Spinoza's analysis of the English Civil War's abortive attempt to overthrow the monarchy. The English people

sought grounds for removing their monarch, but with his disappearance found it quite impossible to change their form of government. After much bloodshed they resorted to hailing a new monarch by a different name (as if the whole question at issue was a name) [...] [W]hen the opportunity came, [the people] decided to retrace its steps, and was not satisfied until it saw a complete restoration of the former state of affairs. (TTP 18/210)

The problem was that their passions supported the hierarchy of monarchy to which they were accustomed and not the equality of popular rule: they would 'mock and despise' an authority less than monarchy (TTP 18/209), and as a result, what popular government they briefly managed to establish was very far from absolute, and less absolute than the monarchy preceding it. Analogously, imagine a transition from aristocracy to democracy without widespread egalitarian attitudes: former patricians might assemble loyalists and threaten a counter-revolution. A democracy's success depends on popular egalitarian sentiments to suit its inclusive political form. But the population of a non-democratic regime attempting transition to democracy will generally lack such sentiments.

This sentimental analysis suggests conditions under which successful regime change could be possible: if there is some other mechanism by which popular sentiments can come to match the new regime. Consider Spinoza's historical account of the genesis of aristocracy, mentioned earlier. Democracy smoothly transforms

itself into aristocracy because migration generates an acceptance of inequality. A successful reverse transition from aristocracy to democracy, in which the absoluteness of the state is improved and not damaged, may also be possible provided there are social processes that might democratise aristocratic sentiments. Perhaps Spinoza's own Dutch Republic sat at a crossroads from which it could equally choose to improve its aristocracy, or otherwise to transition to democracy, as a result of two processes: the rising economic power and integration of immigrants, flowing on to their greater social integration; and rising bourgeois urban power eroding the feudal hold over the countryside (Feuer 1958, 62, 88).¹¹

I have argued that Spinoza's reasoning supports regimes to move to democracy under conditions where the underlying sentiments are fitting. However, this is only a very circumscribed support for democracy, because Spinoza does not identify any general trend towards such sentiments; in this spirit, Feuer characterises Spinoza's democratic credentials, such as they are, as merely 'provincial' (Feuer 1958, 96). Later thinkers such as Tocqueville (2006, 9-14) and Marx (1978, 159-62) witnessed underlying social and economic changes pushing in the direction of universal equality, and interpreted and extrapolated them as a feature of a teleological progressive history of the world; even when there is initial turmoil after a democratic transition, world-historical forces will move popular sentiments in the correct direction. By contrast, Spinoza appears distinctly premodern, envisaging history as cyclical and repetitive, with the possibilities of social order already fully mapped out by past experience. (TP 1.3) In Spinoza's own time, the limited transformation of

¹¹ Close consideration of local historical context leads Prokhovnik (2004, 175, 181) to claim that Spinoza's favoured regime would be an aristocracy.

underlying popular sentiments meant that democracy was only sometimes desirable; he did not anticipate or herald the global rise of democratic governance that we see today.

Against my first objector's claim, an aristocracy transitioning to democracy will only improve its absoluteness under very specific conditions. But even if this point is granted (James 2008, 141), a second kind of objection could be put forward: claiming that Spinoza's status as a democrat should not be determined in the domain of feasibility as I have done, but at a more abstract level. Spinoza's passages A and B assert that democracy is most absolute and superior to all other regimes; on Matheron and Negri's interpretations, this is because the bare fact of political exclusion poses a limit for non-democratic regimes' absoluteness that is not faced by inclusive democratic regimes. As Matheron (1998, 217) explains, 'in every nondemocratic regime sovereignty is necessarily divided (in fact, and therefore by right) between its possessor and its holder.' But democracy does not face this problem: '[d]emocracy is in particular the absolute form of government because tenure and exercise are originally associated with it' (Negri 1998, 226-7; see also Mugnier-Pollet 1976, 238; Sharp 2013, 138-43). Correspondingly, Spinoza should be considered a democrat.

Clearly this argument refers to an ideal of democracy, insofar as it abstracts from the many possible burdens on an actual democratic regime's functioning which may render it non-absolute, and perhaps even less absolute than an aristocracy or a monarchy. In particular, against the backdrop of Spinoza's English example, we can see that it rests on an idealised modelling of human behaviour, presuming that the population have the appropriately egalitarian sentiments. James has explicitly defended such an idealisation, by analogy with the structure of Spinoza's moral philosophy. A recent and very rich literature has drawn attention to Spinoza's use of

imaginative exemplars. Notwithstanding Spinoza's determinism and denial of free will (TP 2.7, E IP32C1, IApp), the idea of the free man, taken as an exemplar, can play a role in facilitating ethical development (E IVPref). Insofar as an individual meditates on the free man, their passions may be tamed, and sociable modes of interactions with others may be consolidated (Gatens 2009, 465-66).

Correspondingly, suggests James (2008, 138-9), an idealised model of a democratic state 'holds out an image of a perfectly inclusive polity that is, like its moral counterpart, beyond human reach; but in spite of this, it serves as a means of thinking critically and creatively about politics.' Spinoza is thus a democrat, because he supports democracy as an inspirational ideal, even though in particular circumstances other regime forms may be more appropriate (James 2008, 142-5).

To the contrary, I argue that this second objection misconceives the status of ideality within Spinoza's political philosophy. Political ideals do appear in the text, as for instance the ideal of democracy in passages A and B. However, just as the exemplar of the free man is valuable insofar as it is concretely useful in improving people's moral conduct and character, so too ideal political models must be measured against their usefulness, valuable only insofar as they provide assistance to optimising the functioning of actual political orders. I claim that for Spinoza, appealing to an inspirational ideal might be acceptable in ethics but is problematic in politics.

Spinoza's discussion of the free man in the *Ethics* is directed to a philosophical audience, who are already committed and motivated to improve their reason and virtue. A political model, by contrast, needs to have effects on a whole society, many of whom may not be paying attention to political tracts and whose behaviour may be captive to multiple real-world pressures. Highly inspirational ideals, when unqualified by more practical considerations, can be deeply harmful.

This point is illustrated by Spinoza's discussion of ideal aristocracy. At a certain high level of ideality, it is not democracy but aristocracy which is obviously the best. For what could be better than having the best persons rule (TP 11.2)? If the best people ruled, then there would be no problem of outcome inequality or outcome irrationality; and if the rulers were truly and recognisably the best, the populace ought to find the status inequality acceptable. But an ideal model of aristocracy is problematic insofar as it trusts the patricians to admit all and only the best to the ranks of the patriciate, whereas it is known from 'human nature in general' that people will treat their friends and family preferentially unless there are overriding counterincentives (TP 11.2). If aristocracy is implemented on this idealised presumption, then the patriciate will contract and diminish in quality, and the political order will become oppressive and unstable.¹²

Spinoza's observation about the ideal model of aristocracy does not constitute a rejection of aristocracy *tout court*, but rather a reminder of the dangers of political ideals. He generalises this worry, complaining that philosophers discussing politics 'conceive men not as they are but as they would like them to be', and he finds that their abstract ideal models are useless for anything except gratifying theologians' and philosophers' sense of superiority to the rest of the population (TP 1.1). Political ideals or models will be useful and not harmful when they account for the concrete causes of the good behaviours that they envisage, across two dimensions. They must account for the establishing causes of the behaviour (the accessibility of the model to the actual political order under consideration); and they must account for the

¹² Venice's decline can be understood as a result of its increasingly closed and nepotistic patriciate (Haitsma Mulier 1980, 201).

maintaining causes of the behaviour (the model, once put in place, must internally sustain itself: the virtue of citizens should be understood through the good ordering of the commonwealth and not the other way around (TP 5.2-3)). Ideal models which rely on good behaviour with no account of the causes that might bring it about are dangerous, because when the model is enacted, the absence of the presumed good behaviour can lead to ruin of the political order. Correspondingly, when Spinoza advances a model of aristocracy, he takes care to articulate the institutions, mechanisms, and procedures that make aristocracy live up to its name, tailoring his recommendations to the general predicament of aristocratic governance, as well as offering variant models in relation to different possible initial geographies of power (TP 8.11-15, 9.1).

The relation between ideals and practical considerations is thus reversed. It is not the case that the ideal is primary and the practical implementation is a secondary consideration. To the contrary, a model which delves into the minutiae of the concrete causes of human behaviour, remaining close to actual experience, is the core of Spinoza's political philosophy. Lofty ideals are imaginative extrapolations which obscure the complex causality of human social existence, and risk pernicious outcomes. Thus, on my account, passages A and B may advance an ideal of inclusion and democracy, but this ideal is only meaningful and valuable for Spinoza when heavily qualified by the institutional details by which it is to be enacted and maintained with respect to actual cases before us. Absent these details, the ideal is otiose. Insofar as Spinoza expresses a deep and principled hostility to highly ideal political models, it is not at the level of such ideals that he should be politically classified: passages A and B do not justify any strong or general characterisation of Spinoza as a democrat.

Conclusion

Yitzhak Melamed recently called for readers of the history of philosophy neither to sanitise nor to demonize what they encounter in old texts, directing his remarks most pointedly to interpreters of Spinoza's political philosophy (2013, 259, 265-72). In this spirit, I have sought to point out Spinoza's divergence from our contemporary democratic frame of analysis. His focus on popular power and his hostility to monarchy leads him to promote democratic inclusion in some circumstances, but equally, political exclusion can be workable, and in many cases is to be preferred. On Spinoza's view, the depoliticised acquiescence of large portions of a population is perfectly normatively acceptable, despite its perpetuation of economic and political inequality, so long as it does not undermine the harmony and robustness of the state, and so long as it leaves room for individual ethical development.

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