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The state: Spinoza's institutional turn

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The concept of *imperium* is central to Spinoza's political philosophy.

Imperium denotes authority to rule, or sovereignty. By extension, it also denotes the political order structured by that sovereignty, or in other words, the state. Spinoza argues that reason recommends that we live in a state, and indeed, humans are hardly ever outside a state (TTP XVI/175-77; TP I, 7; TP II, 15-17, 21; TP VI, 1). But what is the source and scope of the sovereignty under which we live? In some sense, it is linked to popular power, but how precisely, and how is this popular grounding to be reconciled with the absolutist elements in Spinoza's texts? Against prominent liberal and radical democratic interpretations, I argue that Spinoza's insistence on linking *imperium* to the power of the people amounts to a normative attitude towards politics in which the formal features of a political system are less significant than the concrete everyday functioning of that system. Furthermore, I argue that its good functioning is importantly a product of an institutional order which does not simply defer to human individuality or to the primordial multitude, but instead, actively shapes them. While it may be worthwhile railing against monarchy and aristocracy and demanding liberal or radical democracy, the prior and more important challenge is to increase the robustness and resilience of the multitude within whatever form of state presents

itself, through boring, meticulous, and incremental institutional design. For Spinoza, it is a robust and resilient political order that truly merits being called absolute.

1.

In this first section, I lay out a tension in the historical concept *imperium* and one prominent way it was resolved. The term has a Roman military origin. An *imperator*, commander, possesses *imperium*, an authority to command troops. Already in antiquity, the term had come to be applied to politics. In its codification into Roman law, *imperium* is the highest form of political authority to rule, and it is conceived as 'unbound by the laws', *legibus solutus*: in other words, absolute. At the same time the Roman Law locates the source of imperial authority in its transfer from the people via the *lex regia*.¹ *Prima facie*, there is a conflict between these tenets: doesn't the popular origin of *imperium* place limits on its exercise? This was a topic for legal and philosophical debate over many centuries.² Spinoza's proximate source in the debate is Hobbes.³

Hobbes's story of the state's emergence from the state of nature is well known. He argues that in the state of nature prior to coming together into society, although individuals have full natural right to defend themselves, they cannot effectively secure their lives and possessions.⁴ They need to come together into a society for mutual aid, but such a society will only be stable when disciplined by a common power greater than them all who can enforce standards of behaviour. For this reason, they subject all their particular wills to the single will of an entity designated as sovereign, who may be an individual human (monarchy) or an assembly (aristocracy or democracy), and in so doing, they form a commonwealth (*civitas*).⁵ The entity to whom they subject their wills 'is said to hold SOVEREIGN AUTHORITY [*SUMMAM POTESTATEM*] or SOVEREIGN POWER [*SUMMUM IMPERIUM*] or

DOMINION [*DOMINIUM*].⁶ The authority consists in the transfer of power (*potentia*), but strictly speaking it is not possible to hand over one's power. Rather, individuals covenant to hand over their right, which in turn means they promise to obey rather than resist the sovereign.⁷ Hobbes offers various arguments to establish that anything less than full subjection is inadequate; correspondingly, he concludes that the authority of a sovereign is always absolute (*absolutum*).⁸

Through this story, Hobbes ingeniously resolves the Roman Law tension between absoluteness and the popular origins of sovereignty. He elevates the doctrine of the sovereign's absoluteness onto a philosophical plane, asserting that this absoluteness is part of the very definition of *imperium* properly understood, and accounting for the popular grounding not as a historical fact but a methodological construct.⁹ Hobbes's method is to dissolve the commonwealth (*civitas*) into its parts (humans with certain dissociative passions) and put them back together again in imagination to learn the commonwealth's true character.¹⁰ The imperative to covenant to establish sovereignty that is absolute, and the imperative to obey it, are imperatives of reason derived from an imaginary modelling of the requirements of individual human self-preservation. Neither historical covenants with the people nor the people's current opinions are relevant to understanding a commonwealth's *imperium*, so long as the sovereign maintains its threshold capacity to preserve security.¹¹

While the sovereign's absoluteness is established on a philosophical plane, it is not merely a philosophical matter: Hobbes also sketches his vision of the *imperium*'s proper concrete organisation. As a concrete corollary of the absoluteness of the sovereign's right, the sovereign should be able to '*do with impunity whatever it chooses*'.¹² Institutions should be consistent with and should not infringe on the effective prerogative of the sovereign. Hobbes lists essential governmental functions

belonging by right to the sovereign, including the right to control doctrine. The sovereign may delegate these or choose not to exercise them to their full extent, but it should always retain the concrete capacity to rescind any delegation of functions.¹³ By contrast, states where the sovereign is subjected to rule of law, or which have mixed government, or which lack the right to control doctrine, are considered illegitimate and contrary to the right of sovereignty.¹⁴ To be sure, in Hobbes's view this does not preclude popular power. Hobbes grants that absolute sovereignty can be held by a democratic assembly just as well as by a monarch or an aristocratic assembly, and he insists that obedience is due regardless of the form of sovereignty. But this places democracy firmly on a level with other regimes in regard to right, rather than privileged above them. In any case, he is quick to note that despite its adequacy with respect to right, democratic regimes face significant practical disadvantages, due to popular assemblies' incapacity for deliberation and tendency to faction.¹⁵

2.

In this second section, I lay out two representative ways to understand Spinoza's response to the received problematic of the state. In his method and to some extent in his substantive view, Spinoza has a great debt to Hobbes. He gives a rational reconstructive account of the popular origins of *imperium*. Humans naturally tend to find themselves in conflict with one another (TTP XVI/175; TP I, 5; TP II, 14). Spinoza imagines a state of nature populated by such individuals, who overcome the precariousness of their situation by joining their powers together and being 'guided, as it were, by one mind' (TTP XVI/175-77; TP II, 15-16). Spinoza asserts that right (*ius*) is coextensive with power (*potentia*) (TTP XVI/173; TP II, 3), and so corresponding to this communal power there arises a right, which is called *imperium*. Once

established, *imperium* may be held by a monarch or an aristocratic assembly as much as by a democracy, and in all cases it binds individuals to obey its commands (TTP XVI/177-79; TP II, 16-17; TP III, 5). He argues that the *imperium* so established must be absolute - 'the sovereign power [*summam potestatem*] is bound by no law' - for anything less results in 'the division and consequent destruction of the state [*imperii*]' (TTP XVI/177; TP III, 2-4).¹⁶

Nonetheless, Spinoza's concept of *imperium* frequently evinces a greater sympathy for popular power and a greater hostility to absolute rule than does Hobbes's. He denies that it is possible for individuals fully to subject themselves to a sovereign, and he thinks that demanding total subjection is destabilising (TTP XVII/185; TP III, 8), and so he recommends that the state recognize and respect a right to free expression (TTP XX/222-24). A monarchical state is said to be the most absolute when it is subjected to laws and an assembly (TP VI, 8; TP VII, 1); the idea, central to Hobbes's absolutism, that allowing a ruler to rule with impunity conduces to stability is roundly rejected (TP VII, 14, 23, 29). Regarding the relative merits of the three forms of sovereignty, he expresses a preference for rather than against democracy (TTP V/63; TTP XVI/179; TP VIII, 3; TP IX, 1). What do these prescriptions amount to, and what is their theoretical basis? There are two main strands of interpretation, each of which in its own way identifies absolutist elements as marginal and celebrates the popular sympathies of Spinoza's political philosophy.

What I will call the liberal interpretation finds canonical expression in Feuer's *Spinoza and the Rise of Liberalism*.¹⁷ On this interpretation, Spinoza is a precursor of J. S. Mill: his commitments are fundamentally those of a liberal individualist.¹⁸ The origin of his liberal sentiments lies in his experience of some of the better moments of the Dutch Republic, and they find resonance in his systematic philosophy's privilege

to individual development and self-cultivation.¹⁹ Yet his political philosophy retains significant illiberal traces.²⁰ It still asserts the absolute obligation of subjects to obey their ruler, while at the same time granting the sovereign wide powers, even including the power of defining and forbidding seditious speech (TTP XX/224-25; TP III, 2-5; TP IV, 1). These are interpreted as flaws or deficiencies of his view, explicable in terms of the hostile philosophical and political climate that he faced.²¹ Either it is impossible to eliminate the inherent and deep-grained illiberalism of the system of political philosophy he inherits from Hobbes; or alternatively, perhaps it may be possible, but in the face of the illiberal sentiments and frightening hostility of both rulers and the populace, he fails to carry it out. One way or the other, there is no principled reason to justify Spinoza failing to have championed a thorough democratic liberalism with unfettered free speech familiar to us from modern-day American liberal self-understandings.²²

A variant liberal interpretation expresses a similar view in more metaphysical terms.²³ Power as *potentia*, the power of natural individuals, is contrasted with power as *potestas*, the power of institutions and figureheads. *Potentia* is so closely tied to individual essence that it cannot be transferred. Thus the state, as a mere 'social construct',²⁴ does not naturally have its own *potentia*, nor can it achieve it by transfer from its constituent human subjects. This interpretation finds *prima facie* support in the fact that Spinoza never uses the phrase *potentia imperii* in the *Theological-Political Treatise*.²⁵ The metaphysics of power supports liberal political conclusions: lacking *potentia*, the state has no right of its own. Its purpose is simply to keep away 'bothersome hindrances'²⁶ to individual human development, such as famine, invading armies, and harm from other citizens.²⁷ This interpretation deals with the authoritarian tendencies in the text by understanding them descriptively rather than prescriptively.

To say individual subjects give up their right when they enter into a common society is merely an analytical fact of their loss of power to defend themselves, which does not amount to recommending or obliging their submission in any particular circumstance.²⁸

What I will call the radical democratic interpretation is given canonical expression in Antonio Negri's work.²⁹ On this interpretation, even if the *Theological-Political Treatise* still toys with liberalism, in the later *Political Treatise*, Spinoza's fundamentally democratic commitments become clear,³⁰ especially in the key claim that *imperium* is defined by the power of the multitude (*multitudo*) (TP II, 17). Again, power as *potentia* rather than *potestas* is the key term, but instead of tying *potentia* to individuals as do the liberals, Negri claims the entity holding *potentia* and therefore right is the multitude. In Negri's gloss, the multitude is the people prior to institutions, in their originary form, which is human singularities on a plane of equality.³¹ Defining the state by the power of the multitude amounts to a refusal to transfer right away from the multitude, and debunks the claim of any institution whatever to authority.³² Spinoza may endorse the state's absoluteness, but only after radically redefining the term to mean non-alienation from the multitude.³³

Democracy becomes radical not merely by its opposition to monarchy and aristocracy, but also by its critique of representationalist democracy. Hobbes is ultimately suspicious of multitude and therefore supports the removal of multitude's power and its transfer to a representative democratic authority who can police their conduct,³⁴ and the liberals are no better: their respect for the individual often amounts to a defence of a privileged *status quo* against the claims of the masses.³⁵ But is there no merit to the worry about the masses' capacity for destruction, intolerance, violence, and unreason? Negri argues to the contrary that metaphysics underpins the multitude's

good nature. Striving to persevere in its being ('*conatus [...] in suo esse perseverare*' (EIIIP7): the so-called *conatus* doctrine) is the inherent unfolding tendency of any thing. When an individual human so strives, they desire the good of others because this increases their own power. But this sociable human behaviour soothes vicious passions in the community, facilitating the virtuous striving of others also to increase their power, resulting in ever greater sociability. Taken collectively, this constitutes the striving of the multitude towards a concrete increase of its power, unity and virtue. Even if the multitude may frequently be antisocial and divided and lacking in virtue, this bad behaviour arises only because the multitude is overwhelmed by the power of things external to its nature: specifically, because of institutional fetters. Remove those fetters, institute as flat and responsive a direct democracy as possible, and the multitude's upwards movement towards unity can occur.³⁶ It is true that Spinoza devotes great attention to institutional design which is not of a direct democratic character: meticulously engineered rules of selection of representatives and officers, and a proliferation of assemblies checking one another (TTP XVII/187-204; TP VII-X). But these are remedial measures only relevant for non-democratic polities, to bring them closer to a flat democratic order.³⁷

Despite their other disagreements, both these interpretations understand the popular character of Spinoza's *imperium* in terms of a hostility to institutional encroachments on the *potentia* of their preferred pre-institutional political agent. Institutional constraint, if required at all, is only required for rulers and governments. The liberal reading values liberal individuals, and correspondingly seeks to constrain institutions to respect a Millian sphere of self-determination and self-expression. The radical democrat reading values the multitude and correspondingly takes a broad anti-institutional position. As a corollary, each of the existing interpretations dismisses

certain features of the text as inessential. Liberals view its illiberal elements either as regrettable inconsistencies, or as mere statements of fact with no normative consequence; radical democrats view the detailed institutional recommendations as only applicable for remedial situations. Against this shared view, I will contest the idea that Spinoza's notion of *potentia* supports any privilege to a pre-institutional political agent. In this light, the allegedly inessential elements of the texts can be seen in fact to be central to Spinoza's vision of *imperium*; the popular tendencies of Spinoza's philosophy may oppose some institutional forms, but they demand and endorse others.

3.

In this section, I show that the concept of *potentia* is not necessarily anti-institutional. To the contrary, I argue that the *potentia* of a political body inherently involves significant institutional mediation. I start by laying out the position of the concept of *potentia* within Spinoza's philosophical system. For Spinoza, everything is part of nature, anything at all that occurs is an expression of the *potentia* of nature (EIP14; EIP34; TTP XVI/173; TP II, 3). There are two ways to speak of this power of nature as a whole in relation to a particular finite individual. Whatever an individual does, is done by the power (*potentia*) of nature in relation to that occurrence; this is the power by which an individual operates (*operari*) (TTP XVI/174; TP II, 3). But within an individual's behaviour, it is possible to distinguish between acting and being acted upon (*agere* and *pati*). To the extent the individual's behaviour can be understood in terms of the laws of the individual's own nature, it is action (*actio*) and is attributed to the individual's own proper power (*potentia*); to the extent it does not derive from the individual's own nature but by the impingements of other things, it is passive undergoing (*passio*, passion) and is attributed to the power of those other

things (EIVD2; EIVP2-6; TP II, 5). Both freedom and virtue are defined by a thing's active power. Thus, being free is not the same as being undetermined, but rather, it is being determined by one's own nature. And being virtuous or vicious is not a choice: an individual's lack of virtue just is their subjection in the face of other powers, the appropriate response to which is not to chastise but rather to seek concretely to increase their own power (EIIIPref; EIVD8; EIVP20; TP II, 6-7).

In this framework, I now assess the two interpretations' reliance on the concept of *potentia*. I start by focussing on the more metaphysical rendering of the liberal interpretation, which is grounded in the claim that it is illegitimate to attribute to the state a *potentia* and right on par with that of individual humans. To counter this objection, I turn to Spinoza's non-substantial doctrine of individuation. To be sure, the state is not individuated as substance; but for Spinoza, nor are humans or any other finite individuals (EIIIP10). Rather, the only substance is God or nature as a whole (EIP14). This is not to say individuals are illusory. Within nature, there are bodies that are distinguished from one another by their motion and rest, speed and slowness, and which combine in various ways to form more and more complex bodies, up to the infinite compound of all bodies which is God (EIP25C; EIIIP13L1; EIIIP13L7S). Spinoza proposes that a set of parts constitute an individual over time to the extent they 'keep the same ratio of motion and rest to each other' (EIIIP13L5); indeed, he identifies the individual's nature as this ratio of parts (EIIIP13Def; EIIIP13L4-IIP13L7; EIIIP24D). So a thing's nature is its tendency to persevere in a ratio, or in other words, its robustness or resilience, and a thing's active power is the power expressed when it behaves in accord with this nature. In this non-substantial nested account of individuality, recognizing individuals at one level does not preclude their simultaneous combination to form a genuine individual at a higher level.

Correspondingly, the *potentia* of any composite individual does not rely on transfer, but rather is defined by the resilient integration of the *potentiae* of its component parts.

Thus, insofar as the state maintains some characteristic ratio of motion of its component human parts, it is an individual and has a nature and its own *potentia*; nothing more is required.³⁸ Indeed, whilst the phrase *imperii potentia* does not appear in the *Theological-Political Treatise*, it is used frequently in the *Political Treatise* (TP VII, 18; TP VIII, 3; TP IX, 4). And the fact that the state has a *potentia* is the key to understanding the distinctiveness of Spinoza's conception of it. Thinking of *imperium* as a natural individual stands in stark contrast with earlier conceptions of *imperium*, whether traditional or Hobbesian, which would analyse the state's power by identifying a formal possessor of that power (for instance, the king or parliament), and by the properties of that possessor. Rather, insofar as *imperium* is defined by the concrete holding together of the political order, its power is determined by the powers of all its human constituents taken together, and their degree of integration, regardless of whether it is a monarchy, an aristocracy, or a democracy.

This interpretation finds repeated textual confirmation. First, consider Spinoza's reinterpretation of absoluteness. To the question whether the sovereign is *legibus adstricta*, bound by law, Spinoza answers equivocally. The sovereign is absolute in the traditional sense of recognising no higher right. But it must be bound by the laws of the commonwealth's own nature, where the commonwealth is the 'body of the state in its entirety' (TP III, 1). For if there were no risk of the commonwealth being destroyed, it would be a chimera and not a natural thing (TP IV, 4-5). To the contrary, it is a natural thing, and as such it is bound to take care not to cause its own demise. Correspondingly, the state's absoluteness 'if there is such a thing' is its

resilience (TP VIII, 3).³⁹ Second, Spinoza attributes a virtue to the state and identifies this virtue as security: and what is security but another word for the resilient holding together of the political order (TP I, 6).⁴⁰ Finally, as well as discussing *potentia imperii* directly, Spinoza also says the state is defined by the power of the multitude, *potentia multitudinis* (TP II, 17). Multitude is the name for the collection of humans inhabiting the state: in other words, it is the name for the component parts of the state taken together. This underscores Spinoza's rejection of any unduly formal view of the state.

For Negri, to say that the state is defined by the power of the multitude is not merely to reject a formal understanding of the state in favour of understanding it as a natural body, but more strongly to reject the institutional structuring of that body: for he identifies institutions as external powers limiting the multitude. However, this way of drawing the distinction between things internal and external to the multitude's nature is mistaken. An individual's *potentia* comes not only from its component parts but also from the degree of their integration. When those components are resiliently integrated, then to that extent the individual counts as an individual and has *potentia*; but when those components pull apart, then to that extent it is less an individual and has less *potentia* (EIIIP5). The upward spiral of *conatus*, where the individual successfully strives for more power, requires not merely removing gross external impediments, but also increasing the cohesive individuality of the agglomeration of parts. This point can be understood most clearly in relation to Spinoza's favoured example, the human individual. Spinoza takes the Stoic view that the unruliness of passion is the core threat to human resilience (EIVPref). One way to bring passions under control is to remove or avoid the external forces that provoke them, but it is often not possible to control the environment in this way (TTP Pref/1). Humans also

need to cultivate understanding and equanimity in the face of life's challenges: human power and virtue lie in strength of mind (EIVP24; TP I, 6). Equanimity is achieved through an arduous and life-long project of self-cultivation whereby the self learns to regulate the passions and subject them to reason (EVP10S; TP I, 5)

Consider now the multitude. There is no such thing as a primordial equality of bare human singularities. Amongst the humans making up the multitude, some are more or less wise, more or less eloquent, possess more or less friends or supporters. That hierarchy will inevitably be displayed in their interactions: the power of the more wise over the less wise, or the more eloquent over the less eloquent (TP II, 10-11). Not only is the multitude naturally hierarchical, but it is also prone to abusive and hostile relations, as antisocial passions are constantly generated by simple human experiences of scarcity, frustration, and misfortune (EIVP32S; EIVP54S; TTP Pref/1-3; TTP XVII/187; TP II, 14-15).⁴¹ Just as the human individual needs to work to increase her or his internal strength, so too the multitude. To ensure that people negotiate their differences of power in healthy rather than abusive ways, creating rather than destroying social bonds, it is necessary for a society to work to create the conditions which generate the sociable passions, and limit the ramifications of the antisocial ones. In this project, the institutions of the state occupy an ambivalent role. They can cause disruption and even dissolution if they are not good: for example, the restriction of eligibility to the priesthood to the Levite tribe in the biblical state of Israel, which provoked jealousy sufficient to destroy the state (TTP XVII/200-1). But at the same time, well designed institutions are essential to the state's success. For instance, the Israelite's redistributive jubilee limited material inequality and the corresponding covetous passions (TP XVII/199).⁴² Spinoza makes explicit the importance of actively shaping institutions: 'Men are not born to be citizens, but are

made so. Furthermore, men's natural passions are everywhere the same; so if wickedness is more prevalent and wrongdoing more frequent in one commonwealth than in another, one can be sure that this is because the former has not done enough to promote harmony and has not framed its laws with sufficient forethought, and thus it has not attained the full right of a commonwealth' (TP V, 2).⁴³

It is precisely the proposals that Negri construes as merely remedial (the rules of selection of representatives and the numerous interacting assemblies) that serve this purpose of improving the multitude's internal strength. Negri might counter that such structure is only required for aristocracy and monarchy, but as I have argued in detail elsewhere, there is no basis to reconstruct Spinozist democracy as free from these institutions, given the incipient hierarchies and divisions that any multitude harbours.⁴⁴ In summary, the good conduct of multitude is an arduous achievement rather than a starting point, and it is achieved by putting into place structures and procedures to mediate the interaction of individuals. The power and the absoluteness of the multitude lies not in the absence of constraint, but in action in accord with the nature of the state. Subjects' virtue is due not to the inherent goodness of the primordial multitude, but is attributed to the virtue of the commonwealth as a set of constraining and enabling institutions (TP V, 3).

I return now to the liberal view. I argued earlier that the attempt to prove Spinoza's liberal credentials at a metaphysical level fails; but this still leaves wide open what institutional arrangements might concretely conduce to the power of the state. The implicit view of liberals is that the state's resilience is achieved by just letting a good human nature run itself, unfettered by illiberal institutions.⁴⁵ But to the contrary, the natural passions of the multitude do not include an appetite for restraint and mutual toleration. People are prone to feel threatened by other groups, especially

those who seem different to them, or to be seduced by schismatics or usurpers (EIIIP31C; EIVP37S1; EIVP46; TTP Pref/1-3; TTP XX/227). Thus, they will not have the appetite to respect and uphold strict liberal institutions, and laws which do not have the support of the people cannot stand (TP VII, 2). Spinoza outlines two distinct ways to overcome these destabilising passions. The first way is the slave state with entirely illiberal institutions, where the subjection of minds is so great that the state perseveres through the stunting of its subjects: Spinoza cites Turkey as its prime empirical instance (TTP Pref/3; TTP XX/223; TP V, 6; TP VI, 4). But the slave state relies on such an extreme repression that it is not a real possibility in Spinoza's early modern European context. Attempting the route of repression despite the European population's fledgling experiences of education and freedom of thought, far from achieving submission, instead provokes revolt (TTP XVI/178).⁴⁶ If the slave state is not viable, the only other route to the taming or containing of divisive passions is the free state, which focusses on harnessing and increasing the freedom of its subjects (TTP XX/223; TP V, 5). Liberals are correct that Spinoza opposes undue institutional constraint, taking the view that less authority frequently conduces to a more robust political outcome. Key examples are his defence of freedom of speech, and his refusal to regulate certain vices (TTP XX/222-26; TP X, 5-6, 8). But this is not the same as defending liberal institutions for their own sake.⁴⁷ Those elements of Spinoza's politics that rankle with liberals (notably the qualifications to the defence of free speech, and the claim that reason requires subjects to defer to the command of the sovereign) are principled proposals, put forward with the purpose of generating and safeguarding cohesive passions.⁴⁸ Spinoza defends a careful balance, variously permitting, shaping, and restricting subjects' conduct with view to achieving state resilience.

4.

Spinoza's political philosophy offers us a distinctive rethinking of the idea of popular sovereignty or the popular state. His novel contribution is to understand *imperium* not in terms of formal attribution of authority but as a natural body. To do this means to take as one's primary question the concrete organisation of the body politic, its tendencies and strengths, whether it is cohesive and vibrant and flexible and (in sum) resilient. Formal questions are not entirely unimportant, but only because formal organisation has concrete implications: democratic rule can help to balance out the self-interest of sections of the populace and thereby reduce hostilities (TTP V/63-64; TP VII, 4). But the usefulness of a formal establishment of democracy is defeasible and secondary to other determinants of popular strength. Formal rule by a weak multitude tears itself apart (TTP XVIII/209-10; TP VI, 4), whereas a robust multitude will be able to place principled pressure whoever the formal rulers may be, giving rise to a covertly popular form, even in a monarchy (TTP XVIII/210-11; TP VII, 5, 11). Nor are there any quick or easy ways to achieve popular strength: just as to the extent that someone displays a weaker mind, this simply shows that their own power was insufficient to be more rational; so too if multitude is not already powerful and sociable and unified, this testifies to its lack of power. The concrete development of constructive dispositions takes time and this is done by incremental institutional design (TTP XVIII/209-11; TP V, 3-4).

¹ Canning, J. (1996) *A History of Medieval Political Thought, 300-1450*, London and New York: Routledge, pp. 6-15.

² von Gierke, O. (1939) *The Development of Political Theory*, London: George Allen & Unwin Ltd., pp. 92-96; Lee, D. (2008) *Private Law Models for Public Law*

Concepts: The Roman Law Theory of *Dominium* in the Monarchomach Doctrine of Popular Sovereignty, *The Review of Politics*, 70, p. 374; Canning (1996) pp. 117-118.

³ I rely upon *De Cive* (Hobbes, T. (1983) *De Cive*, Oxford: Clarendon Press; translated as Hobbes, T. (2006) *On the Citizen*, Cambridge: Cambridge University Press), because Spinoza is known to have possessed *De Cive* in his library, whereas it's merely possible but uncertain that Spinoza had access to the Latin translation of *Leviathan*. (Sacksteder, W. (1980) How much of Hobbes might Spinoza have read? *Southwestern Journal of Philosophy*, XI, pp25-40.)

⁴ Hobbes (2006) i.2-13.

⁵ *Ibid.*, v.6-12.

⁶ *Ibid.*, v.11.

⁷ *Ibid.*, v.11, vi.13.

⁸ *Ibid.*, P.15, vi.13, vi.17-18.

⁹ Indeed, the state of nature conceives humans as if 'emerg[ing] from the earth like mushrooms' (*Ibid.*, viii.1).

¹⁰ *Ibid.*, P.9-10, ii.1-2.

¹¹ *Ibid.*, vi.20.

¹² *Ibid.*, vi.13.

¹³ *Ibid.*, vi.5-12.

¹⁴ *Ibid.*, vi.9, vi.11, vii.4.

¹⁵ *Ibid.*, P.22, x.7-16.

¹⁶ See also EIVP37S2.

¹⁷ Feuer, L. S. (1958) *Spinoza and the rise of liberalism*, Boston: Beacon Press. See also Smith, S. B. (1997) *Spinoza, liberalism, and the question of Jewish identity*, New Haven: Yale University Press. pp. 22-26, 156-65.

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- ¹⁸ Feuer (1958) p. 83.
- ¹⁹ Feuer (1958) pp. 17-22, 61-75, 113; Barbone, S. (2000) Power in the Tractatus theologico-politicus, in Bagley, P. J. (ed.) *Piety, peace and the freedom to philosophize*, Dordrecht: Kluwer, pp.104-5, 108.
- ²⁰ Feuer (1958) pp. 105-09, 114.
- ²¹ *Ibid.*, pp. 70, 80-90, 105-09, 116; Della Rocca, M. (2008) *Spinoza*, London; New York: Routledge, pp. 224-25.
- ²² Feuer (1958) pp. 107, 114-6.
- ²³ Den Uyl, D. J. (1983) *Power, state, and freedom : an interpretation of Spinoza's political philosophy*, Assen, The Netherlands: Van Gorcum, pp. 67-80; Barbone (2000) pp. 91-109.
- ²⁴ Barbone (2000) p. 99.
- ²⁵ *Ibid.*, pp. 100-2, 109.
- ²⁶ *Ibid.*, p. 108.
- ²⁷ *Ibid.*, pp. 103-4; Den Uyl (1983) pp. 117-18, 128.
- ²⁸ Barbone (2000) pp. 104-9; Den Uyl (1983) 118-19.
- ²⁹ Negri, A. (1991) *The savage anomaly : the power of Spinoza's metaphysics and politics*, Minneapolis: University of Minnesota Press; Negri, A. (1998) *Reliqua Desiderantur: A Conjecture for a Definition of the Concept of Democracy in the Final Spinoza*, in Montag, W. & Stolze, T. (eds.) *The new Spinoza*, Minneapolis: University of Minnesota Press; Negri, A. (2004) *The Political Treatise, or, the foundation of modern democracy*, in Murphy, T. S. (ed.) *Subversive Spinoza : (un)contemporary variations*, Manchester; New York: Manchester University Press. See also Montag, W. (1999) *Bodies, masses, power : Spinoza and his contemporaries*, London; New

York: Verso; Del Lucchese, F. (2009) *Conflict, power, and multitude in Machiavelli and Spinoza : tumult and indignation*, London ; New York, Continuum, pp. 115-66.

³⁰ Negri (1991) pp. 114, 194.

³¹ Negri (1998) pp. 226, 240.

³² Negri (1991) pp. 190-197, 226-29; Negri (2004) pp. 15-20.

³³ Negri (1998) pp. 228-31; Negri (2004) p. 17.

³⁴ Hobbes (1996) v.4-6, vi.1.

³⁵ It is criticised as a 'refined bourgeois science of mystification' (Negri (1991) p.196).

See also Negri (1998) pp. 222, 235; Negri (2004) pp. 14, 24.

³⁶ Negri (1998) pp. 230, 234, 237-40.

³⁷ Negri (2004) pp. 20-21.

³⁸ For a similar argument, see Steinberg, J. D. (2013) Spinoza's Political Philosophy, in Zalta, E. N. (ed.) *The Stanford Encyclopedia of Philosophy (Winter 2013 Edition)*, [online] <http://plato.stanford.edu/archives/win2013/entries/spinoza-political/> [1 March 2015], §5.

³⁹ See also TTP XVI/182.

⁴⁰ See also TTP XVI/186.

⁴¹ Feuer (1958) pp. 138-39 provides an account of Spinoza's own historical encounters with the antisocial passions of the multitude.

⁴² See also the discussion of land ownership: TP VII, 8, 19; TP VIII, 10.

⁴³ See also TTP XVII/187.

⁴⁴ This can be seen quickly by noting that the patriciate of an aristocracy, not considered in its relation to the commoners but considered in itself as a patrician multitude, is deemed to require substantial institutional structure if it is to act in a way that increases its power rather than undermine it. Field, S. (2012) Democracy and the

Multitude: Spinoza against Negri. *Theoria: A Journal of Social and Political Theory*, 59, p.35, drawing on TP VIII, 19-25.

⁴⁵ Della Rocca (2008) pp. 206-25 makes this view explicit.

⁴⁶ Contra Feuer (1953) pp.184-85, the Turkish example does not necessarily mark an abandonment of the criterion of resilience.

⁴⁷ See also Kisner, M. J. (2012) Spinoza's Liberalism, *Philosophy Compass*, 7, pp. 789-91.

⁴⁸ Despite earlier misgivings regarding the illiberal elements of Spinoza's view, Feuer later appears willing to accept them as necessary preconditions of a liberal order.

Feuer (1953) pp. 150-51.