

Douglas J. DEN UYL, *Power, State and Freedom. An Interpretation of Spinoza's Political Philosophy*. Van Gorcum, Assen, 1983, 172 p.

This book is almost exclusively focused on Spinoza's philosophical reflections in his political works, mainly the *Tractatus Theologico-Politicus* and the *Tractatus Politicus*. Its main intention is to clarify the concretist methodology of this great 17th century philosopher and to interpret his political theory as a scientific and positivistic account of political reality. According to Den Uyl Spinoza tried to develop a political philosophy, devoid of normative content. His liberalism was, so to say, 'fact-based'. With this interpretation, the author precisely attacks those critics of Spinoza's thought, who argued that his (realistic) account of the nature of political society made him a docile pupil of Hobbesian 'absolutism' 'collectivism' or 'authoritarianism'. According to the author Spinoza developed a political philosophy in its own right, that cannot totally be likened to this of Hobbes.

The book is divided in five chapters, each of them developing the conclusions, reached in the former one. In two appendixes, the author discusses the relations between Spinoza's and Hobbes' political views, and the concept of democracy in Spinoza's work, as compared to the views of Rousseau.

The argumentation throughout the book is precise and sober, the exposition systematic and clear. The author follows Spinoza's recommendation in attempting to understand his texts in light of his own scientific and positivistic principles.

It is well known that Spinoza is much indebted to Hobbes, in his elaboration of the concept of natural right as well as in his views on political society. He defends a naturalistic definition of right, so that there is little ground in his political works for a distinction between (positive) right and natural right. Having a right is having the power to act in certain ways, and having this power is having the right. However, whilst he takes sides with Hobbes in his view that rights are nothing but (factual) powers, he doesn't draw from this the absolutist conclusions, Hobbes was apt to draw.

For Spinoza, the concept of a law refers either to (a) a principle of action that is necessarily applicable to all individuals in nature or to all of a certain kind or to (b) certain rules which men have agreed to adopt, in order to achieve security and comfort. The latter meaning is the most proper use of the term, the former being used only metaphorically. Laws are "rules of life which man prescribes to himself or to others for some object".

Since Spinoza's metaphysics does not allow for the separation of God and nature, and since his universe is a strictly deterministic one, he denies the separation of will and intellect in the divine law. Metaphorically, divine laws are simply the laws of nature, which might not have been otherwise or could be disobeyed. It are the scientific laws of nature (and so of human nature as well), and in this metaphorical sense, divine law is devoid of normative content. The fundamental differences between Spinoza's conception of natural law and any scholastic conception are that he strictly equates God with nature and that he denies teleology in nature (p. 10). In its 'proper sense', divine law refers to the fact that all human beings are seeking perfection (the conatus to preserve their own being), that is, are seeking the supreme good, consisting of true

knowledge and love of God, although they may be unaware of this. This involves a 'ratio vivendi' which is determined by men, and is therefore subject to alteration and discussion. It may give rise to human commands which constitute law proper, establishing a normative order. In contrast to the rules of natural order, the rules of normative order are violable and can be disobeyed. Spinoza takes the normative order to be posterior to the social order, in a process in which men move from a state of nature to civil society, by exercising their natural rights. These rights are nothing but the powers which individuals express in their act of existing: the right individuals have is determined by their power. And this power is part of the one substance — God — that is the immanent efficient cause of all things. From this it follows that Spinoza's doctrine of natural right is also devoid of normative content. That is to say: "Spinoza's denial of teleology in nature and his refusal to consider men as a "kingdom within a kingdom" does not preclude him from making normative judgments; but that denial does allow him to establish a doctrine of rights that is free of all normative elements" (p. 7) Everything that exists has natural right, has power. For human beings, their rights are directed to achieve the greatest good for themselves. To say that in the state of nature one has the right to do, whatever one can do, means nothing but that one can do whatever one has the power to do. "Anything, then, that an individual who is considered as subject only to nature judges to be useful to himself — either through the guidance of sound reason as through the impetus of passion — he has a perfect natural right to desire and indeed to appropriate by any means in his power — by force, fraud, entreaty, or however he finds it easiest; ... It follows that the right and law of nature, under which all are born and for the most part live forbids nothing save what nobody desires and nobody can do..." (Spinoza, *Tractatus Theologico Politicus*, cited in Den Uyl, 9). This meaning of the concept of right does not change in civil society: one still has the right to do all one can do in civil society, but the power of the state will be there to dictate many of our actions. If it is in one's benefit, and if one has the power to break a promise, then one has the right to do so. Whilst in the state of nature, one can have this right (power), one has not this right (power) in civil society, because of the existence of a state. Contrary to Hobbes, Spinoza does not see any loss of natural right in entering civil society, nor does he limit the concept of natural right to (right) reason, which implies, in Hobbes' theory, a normative element. For the latter, indeed, man's power is or can be wider than his natural right, whilst for the former there is identity. Both philosophers diverge also in their views on the transfer of rights. For Hobbes, to transfer one's right involves the expressed desire to be subject to another's power; an expression of will (of acceptance) is required. Spinoza conceives the transfer of rights in terms of power-relationships; to the extent that one really falls under another's power one has transferred his rights. For him, 'transfer' is a metaphor for being subjected to another's power. (p. 15). Spinoza's non-normative views on the origin of the state coherently follow from this.

In the second chapter, the author analyses 3 basic but conflicting interpretations of Spinoza's view on the origins of political state power, each of them deduced from different passages in the two political treatises of the philosopher. They are (a) the rational contractor (b) the hero-founder and (c) the evolutionary interpretation. Each of them finds support in the texts, but they

are apparently not reconcilable. Rejecting the arguments that Spinoza's account of the origins of the state is (1) inconsistent throughout his political writings, that (2) only one interpretation is the correct one or that (3) he changed his mind in favour of the (last) evolutionary explanation, Den Uyl argues that (4) Spinoza's essential outlook on the origins of the state must be considered consistent in both treatises. In the third and the fourth chapter, the author argues for the inadequacy of thesis (2) and (3), having rejected the first possibility on "the *prima facie* ground that a thinker of Spinoza's caliber deserves the benefit of the doubt before the charge of inconsistency is leveled." (p. 37) In a complex and deepgoing analysis, he first clarifies the view that the three interpretations must be considered answers to different questions, Spinoza asks about the "origins" of the state. Only such an interpretative device, so Den Uyl argues, may help resolve the dilemma.

Spinoza has two distinct conceptions of the state of nature. The first one, called by Den Uyl the "absolute moment" is a hypothetical condition of atomistic diversity and impassioned behaviour. The second, "intermediary moment" is a condition wherein socialized men lack a definite political authority. From both moments, distinct conceptions on the "origins" of the state can be deduced: the hero-founder theory being compatible with the "absolute moment", the evolutionary theory with the "intermediate moment". Each theory looked only to one of two possible meanings of what it is to look at the conditions of the "state of nature". In the final section of this chapter, the author proposes to reduce further the rational contracter view to the hero-founder position, and argues his case by clarifying Spinoza's notion of "ratio". Whilst the "origins" of political society are to be found in rational action, they do not imply the action of "rational men". Den Uyl suggests indeed that Spinoza, being a methodological individualist, could not be a social contract theorist at all, and that we are to see him, on the contrary, as anticipating the "invisible hand"-conceptualisations of social rationality by Adam Smith and Adam Ferguson. Certain – rational – forms of social order are the unintended consequence of manifold and different intended actions of individuals, which didn't have the establishment of such a rational social order as a purpose.

In chapter four this thesis is developed further. Spinoza conceives political society to be a dynamic process, a continuous activity of individuals and their interactions. It is *no more* than the relations and connections between acting individuals being per se powers with a specific *conatus*, urging them towards their own preservation. Political authority is therefore (nothing but) that man or body of men whose commands concern the whole of social actors and whose commands are backed by force. Political authority is a norm-giving institution and a device for securing obedience and for influencing behaviour. Power, being present in, and central to, all these features, is the subject of the next chapter. It analyses the scope and limit of political power and compares the "authoritarian" with the more "liberal democratic" assertions of Spinoza. Right is, as has been said, defined as power. Men are viewed as necessarily seeking to increase their power. The state is that vehicle by which men can do so. Politics can be viewed as the study of the ways by which societies help or hinder the development of power. In contrast with the ethical norms for personal development, political norms deal with the actions of social bodies. They are norms for actions that are relevant for the society, and must take into account the pre-

valence of passion among men. Their factual power gives rise to the need for norms indicating how to make their strivings more successful. "In a very real and important sense, the normative criteria grow out of the factual aspects of human life and human sociality. What is the case determines what ought to be the case." (p. 127)

Spinoza's notion of absolute power — founded in the *civitas* — emerges naturally as the central normative concept of politics. The *civitas* is what is necessary and what makes it reasonably possible for men to attain their own salvation. As for Hobbes, the purpose of the *civitas* is in Spinoza's philosophy peace, rather than the shaping of virtuous men. It is, however, not to be equated — as in Hobbes — with the government: the absolute power of the *civitas* — political society — limits the actions of the individuals as well as the actions of the government. Precisely in appendix A, the author analyses more profoundly the differences between the "monarchic" Hobbes and the "democratic" Spinoza, whilst appendix B distinguishes sharply Spinoza's individualist view of democracy in the *civitas* from the collectivist approach, implied in Rousseau's concept of the "general will".

This original work of Den Uyl is systematic and clear in its exposition of the main arguments in the debate on the interpretation of Spinoza's political philosophy. Undoubtedly, it is an important contribution in the study of the history of ideas in emphasising different levels of argumentation which are used when looking after a "foundation" of political authority. It lacks, however, a critical dimension in that it doesn't develop further the proposed interpretation of Spinoza as positivistic and scientific, either through the historical development of the social-contract-argument or for the present day debate in political philosophy (e.g. on the concept of 'natural right'). The author offers us an interpretation but doesn't attempt to defend or to reject the position, this interpretation is standing for. Furthermore, we regret that the author has not compared more profoundly the interrelations between Spinoza's ethics and his political views, because we think that it are precisely his views on the naturalistic nature of individual human beings, which form the very foundation for his concept of the political *civitas*.

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