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On the axiomatics of death, violence, and sovereignty: Baruch Spinoza's shadows in twentieth century political theory

1 Introduction: Spinoza as a metaphysical exception?

Since Plato defined, in *Phaedo*, philosophy as the art of "practicing for/of death" (*meletē thanatou*), as the art that aims to look for knowledge, particularly in contemplation, which would go beyond the deceitful senses, death and philosophy have shared an intimate, almost self-evident connection.[1] If philosophy begins from contemplation, as affirmed by both Plato and Aristotle, it is precisely the finite nature of human life, the very fact of mortality, which sparks the quest for the most fundamental questions concerning human life, as noted by Hannah Arendt (1906–1975).[2] Even if one agrees that philosophy "always reappropriates the discourse that delimits it,"[3] there is no doubt that in historical terms, this Platonic definition of philosophy has had an "immense echo within occidental philosophy," as the ancient historian Pierre Hadot argues.[4]

In terms of understanding and evaluating the role of death for human life, the Western tradition of philosophy indeed shows a remarkable consistency – whether one thinks of the Hellenic schools of philosophy or such modern thinkers as Martin Heidegger (1889–1976) and his description of *Dasein's* being-toward-death.[5] To take an almost random example, consider the following words from Early Modern writer Michel de Montaigne (1533–1592):

1 Plato, "Phaedo 81a," in *Platonis Opera*, ed. John Burnet (Oxford University Press, 1903). For background, see Jacques Derrida, *The Gift of Death*, trans. David Wills (Chicago, IL: The University of Chicago Press, 1995), 12–16; Pierre Hadot, *La philosophie comme manière de vivre* (Paris: Albin Michel, 2001), 169–171.

2 Hannah Arendt, *Vita Activa: Oder vom tätigen Leben* (Munich: Piper, 2015), 18, 384–385.

3 Jacques Derrida, *Marges de la philosophie* (Paris: Les Éditions de Minuit, 1972), 211. All translations in this chapter are mine unless stated otherwise.

4 Pierre Hadot, *Exercices spirituels et philosophie antique* (Paris: Albin Michel, 2002), 50.

5 On this continuity, see Hadot, *Exercices spirituels*, 50–52. On the specifically modern nature of Heidegger's conception in distinction to the ancients, see Hadot, *Philosophie*, 171–172. For a broader historical presentation on the themes of death, self-mortification, and the reformulation of subjectivity in early Christian thought, see Michel Foucault, *On the Government of the Living: Lectures at the Collège de France 1979–1980,* trans. Graham Burchell (New York: Picador, 2016).

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> It is not certain where Death awaits us, so let us await it everywhere. To think of death beforehand is to think of our liberty. Whoever learns how to die has learned how not to be a slave. Knowing how to die frees us from all subjection and constraint.[6]

Familiarity with one's death, the knowledge regarding one's proper ability to influence the facts of life, frees one from suffering; the peace of the soul, that curious *ἀταραξία*, the tranquility of the soul sought by both Stoics and Epicureans – which Heidegger will later attempt to reformulate as a phenomenon that goes beyond mere willing, in terms of *Gelassenheit*[7] – is itself equal with an acceptance of what takes place and one's mortality as a human being.

Even with Friedrich Nietzsche (1844–1900), whose whole philosophy is based on a radically uprooting, genealogical critique of the philosophical-theological tradition, the relationship with death and mortality remains obvious. As Nietzsche himself emphasizes: "Let us beware of saying that death is opposed to life. The living is merely a type of what is dead, and a very rare type."[8] Nietzsche's doctrine of the eternal return must not be understood simply as a validation of life against death as it happens, but rather as an affirmation of life as the right kind of death at the right moment that one chooses – as death as a force that has the power to make human life more than chaotic immanence.[9] Thus, even with Nietzsche's *amor fati*, philosophy still concerns itself with a certain knowledge of death, with knowing how to die at the right moment and the correct way.

But what is the reason for this curious centrality that death and mortality seem to have within Western philosophy? To what extent does our very philosophical language "announce death" in its Platonic wish of learning how to die, as Giorgio Agamben asks?[10] Jacques Derrida (1930–2004), who was of course more than well acquainted with the axiomatics of death in Western philosophy,[11] offers the following, almost uncannily Arendtian, reflections on the limits that this central feature of Western philosophy imposes on its undertakings:

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6 Michael de Montaigne, *Selected Essays*, trans. James B. Atkinson and David Sices (Indianapolis, IN: Hackett publishing Company, 2012), 17.

7 Martin Heidegger, *Gelassenheit* (Stuttgart: Neske, 1979).

8 Friedrich Nietzsche, *Die fröhliche Wissenschaft* (Leipzig: Verlag von E. W. Fritzsch, 1887), aphorism 109, accessed October 31, 2022, http://www.nietzschesource.org/#eKGWB/FW.

9 Friedrich Nietzsche, *Also Sprach Zarathustra: ein Buch für Alle und Keinen* (Chemnitz: Verlag von Ernst Schmeitzner, 1883), fragment "Vom Freien Tode," accessed October 31, 2022, http://www.nietzschesource.org/#eKGWB/Za-I-Tod.

10 Giorgio Agamben, *Idea of Prose*, trans. Michael Sullivan and Sam Whitsitt (Albanly, NY: State University of New York Press, 1995), 129.

11 Derrida, *Gift of Death*.

> But what is it "to be born"? If we distinguish it rigorously from the origin, the beginning, provenance, etc., "birth" is perhaps a question of the future and of arrival, a newly arrived question. Philosophy is much more prepared to work on question of origin and the end, of life and death. But philosophy [. . .] has given little "thinking' attention to what, in birth, does not fall under these categories.[12]

If one is to believe Derrida, philosophy, at least in the West, seems to be a matter of origins and ends, of life and death, in precisely the axiomatic and deeply interconnected sense proposed by Nietzsche. Much less attention has been paid to what breaks this ontological duality of origins and ends – that which is novel and is born beyond the (in)finity of a temporal beginning and a corresponding end, and thus escapes such dichotomic frameworks.

In this chapter, the focus is on the work and reception of Baruch Spinoza (1632–1677) – one of the very few thinkers who refuses to give death and mortality a structurally meaningful place in his own system of thought. "A free man thinks of death least of all things, and his wisdom is a meditation of life, not of death."[13] This extraordinary idea stands at the very core of Spinoza's ethical and political thought.[14] There is perhaps no better way of grasping the revolutionary nature of this idea than by realizing how unthinkable this remarkable sentence remains to the Western tradition of thought – consciously or unconsciously, it no doubt contributed to Spinoza's name becoming a malediction to many of his contemporaries.[15] This is not to say that Spinoza had no predecessors or followers. One could mention Epicurus, who considered death as nothing,[16] or the widespread reception of Spinoza after roughly 1800 among the thinkers of Ger-

12 Jacques Derrida and Elisabeth Roudinesco, *For What Tomorrow: A Dialogue* (Stanford, CA: Stanford University Press, 2004), 40.

13 Benedict de Spinoza, *The Ethics and Selected Letters*, Translated by Samuel Shirley (Indianapolis, IN: Hackett, 1982), 193.

14 On Spinoza as an original ethical thinker, who, like Nietzsche later, consciously resisted and attacked the moralistic nature of previous philosophies, see Gilles Deleuze, *Spinoza: Practical Philosophy,* trans. Robert Hurley (San Francisco, CA: City Lights Books, 1988), 17–29; Gilles Deleuze, *Pourparlers 1972–1990* (Paris: Les Editions de Minuit, 1990), 185–186.

15 As noted by Deleuze, *Spinoza*, 10. While Deleuze points to the accusations laid against Spinoza's supposed materialism, immoralism and atheism as crucial points of contention, see also the historically contextualized reflections on the way the label "atheism" was used polemically in this era; A. P. Martinich, *The Two Gods of Leviathan: Thomas Hobbes on Religion and Politics* (Cambridge: Cambridge University Press, 2002), 19–39.

16 See, Pamela Mensch, trans., *Diogenes Laertius: Lives of the Eminent Philosophers* (Oxford: Oxford University Press, 2018), 532–533. What makes Spinoza different from his ancient predecessors is his rejection of the idea that human beings would be able to solve the issue of mortality through mere will – that is, to control their wants, urges, and feelings at will.

man Idealism, although their ways of utilizing Spinoza would remain highly self-referential.[17]

Here, I argue that Spinoza's refusal to place mortality and death at the center of his ethical system has direct consequences for his political thought. Spinoza's *Ethics* begins with a section on the nature of God. His other definitions, "flowing like rivulets from the universal teaching," to paraphrase Spinoza's own critical method of reading the Bible,[18] including his understanding of politics, sovereignty and death, are precisely those "less universal things"[19] that flow from his philosophical conception of God.[20] It is the connection between life and freedom that Spinoza sets against the traditional axiomatics of death, mortality, fear, and sovereignty. I approach this topic by exploring two contradictory readings of Spinoza: those of Carl Schmitt (1888–1985) and Arendt, whose interpretations offer different ways of understanding Spinoza's exceptional nature within the Western canon.

Through this comparative approach, I investigate how our central political vocabulary and understanding of politics draws on an ontological connection between death/mortality and sovereignty/violence. Taking my cue from Spinoza's ethical and political thought, I ask: What implications does the traditional emphasis on mortality and death have for our understanding of politics? Does the axiomatic nature of death as a kind of a master signifier play a structural role in our very political language, and if it does, in what way? How are death and mortality connected with our vocabularies of violence and sovereignty – and how can Spinoza's thought and his reception help us to evaluate these connections? How is the notion of sovereignty and its nature as a "right of death"[21] grounded in a specific way of understanding metaphysical questions?

Schmitt's and Arendt's contrary readings of Spinoza's thought reflect diverging ways of understanding the structural connections between death, mortality, sovereignty, and violence in the realm of the political. While for Arendt, although she refuses to acknowledge this fully, Spinoza is one of the very few thinkers who has taken steps toward conceptualizing politics as natality, for Schmitt, in a pro-

17 Birgit Sandkaulen, "'Der Himmel im Verstande': Spinoza und die Konsequenz des Denkens," *Zeitschrift für Ideengeschichte* V, no. 1 (2011): 15–28. On Hegel's reading of Spinoza, see Pierre Macherey, *Hegel ou Spinoza* (Paris: La Découverte, 2004).

18 Benedict de Spinoza, *Theological-Political Treatise,* ed. Jonathan Israel, trans. Michael Silverthorne and Jonathan Israel (Cambridge: Cambridge University Press, 2007), 102; cf., 170.

19 Spinoza, *Theological-Political Treatise*, 102.

20 Spinoza himself emphasizes the unity of his works in Benedict de Spinoza, *Political Treatise*, trans. Samuel Shirley (Indianapolis, IN: Hackett Publishing Company, 2000) 37.

21 Michel Foucault, *The History of Sexuality,* trans. Robert Hurley, vol. 1 (New York: Pantheon, 1978), 136.

foundly antisemitic sense, Spinoza appears as the theorist who prepared the way for dismantling the concept of modern state sovereignty.

By analyzing Spinoza and his dualistic reception in twentieth century political theory, in this chapter I illustrate two different traditions of political thought, as named by Gilles Deleuze (1925–1995)[22]: First, the "anti-juridical tradition" (of Spinoza and Arendt) that conceptualizes politics as the freedom of immanence and as the immanence of freedom – as the self-realization of individuals who act in concert toward common goals and ends. This tradition understands political power as the sharing of words and deeds, and thus, as the absence of violence. What both Spinoza and Arendt aim to destroy, although in diverging ways, is what Deleuze would describe as the second, "juridical tradition" (of Thomas Hobbes (1588–1679) and Schmitt) that understands politics as sovereignty and representation – as the self-evident relationship of those who rule and those who are ruled. Here politics may only operate through mediation and transmission, that is, subjection, and here violence is as much of a necessity as it is monopolized by those who rule and control the centralized apparatuses of power. I begin with the politics of death found in Hobbes and Schmitt, before moving to Spinoza and Arendt and their shared attempt to redeem life and natality – to undercut and rethink sovereignty through acting in concert with others.

2 Spinoza as an enemy: Schmitt on facing death as concrete life

Although Spinoza features at the margins of Schmitt's works as early as the Weimar era, Schmitt offers a more systematic interpretation of Spinoza only in his 1938 book on Hobbes. This work combines profoundly antisemitic arguments and narratives with a more serious confrontation. *The Leviathan in the State Theory of Thomas Hobbes – Meaning and Failure of a Political Symbol* aims to explain how Hobbes's political theory both grounds and reflects the birth of the modern state in the seventeenth century.[23] According to Schmitt, Hobbes's construction of the state was flawed from the very beginning. Although Hobbes managed to legit-

22 Gilles Deleuze, preface to *L'anomalie sauvage,* by Antonio Negri, trans. François Matheron (Paris: P.U.F., 1982), 9–12.

23 In a post-war note to his *Denktagebuch*, Schmitt confesses the central influence of Leo Strauss's 1930 book on Spinoza to his study on Hobbes. Carl Schmitt, *Glossarium: Aufzeichnungen aus den Jahren 1947 bis 1958*, ed. Gerd Giesler and Martin Tielke (Berlin: Duncker & Humblot, 2015), 348–349.

imize sovereignty through the fictions of the state of nature and the social contract, Schmitt argues that by differentiating between the personal faith that cannot be controlled by state power and the public confession of faith that the sovereign is entitled to demand, Hobbes's construction of the state failed at the moment of its birth.[24]

Schmitt claims that Spinoza takes this distinction between the internal realm of religious freedom and the external realm of political obedience to its extreme. According to Schmitt, Spinoza, "the first liberal Jew," radicalizes the protoliberal ideas of Hobbes and in doing so becomes the first thinker to systematically conceptualize the political realm as a mere extension of individual freedom and power.[25] In Schmitt's antisemitic narrative, this flaw in the construction of the European nation-state, its inability to construct a total political entity, ultimately leads to its own destruction "from within."[26]

It is precisely in this sense that already Schmitt's earlier Nazi writings had argued for the existence of a "Jewishly-Freemasonically dominated liberalism"[27] and portrayed the Jews as emblematic figures who supposedly advocate liberal, universalistic norms and human rights only to conceal their true political motivations; it is in this sense that "the Jew" looks "where and how he can jump in or out" to replace the living law of an actual people with an empty, abstract norm.[28] The logic of the argument is as follows; unlike Hobbes, for whom the private sphere and society exist upon and are derived from the condition of the state, for Spinoza, the state is secondary and is itself derived from the inalienable nature of individual freedom. What, supposedly, exists in Hobbes as a grave mistake that did not make his Leviathan radical enough, appears in Spinoza as the very foundation of his liberal thinking.

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24 Carl Schmitt, *Der Leviathan in der Staatslehre des Thomas Hobbes: Sinn und Fehlschlag eines politischen Symbols* (Köln: Hohenheim Verlag, 1982). Although Schmitt described Hobbes as the most relevant precursor to his own decisionism during the Weimar era, his interpretation of Hobbes became much more critical after he joind the Nazi party in 1933. See Ville Suuronen, "Carl Schmitt as a Theorist of the 1933 Nazi Revolution: 'The Difficult Task of Rethinking and Recultivating Traditional Concepts,'" *Contemporary Political Theory* 20, no. 2 (2021): 341–363, https://doi.org/10.1057/s41296-020-00417-1.

25 Schmitt, *Der Leviathan*, 86–87.

26 Schmitt, *Der Leviathan*, 86. In his post-war notebooks, Schmitt radicalizes this racist argument by portraying an essential similarity between Spinoza and those emigrants forced to flee Nazi Germany. Schmitt, *Glossarium*, 220–221.

27 Carl Schmitt, "Die geschichtliche Lage der deutschen Rechtswissenschaft," *Deutsche Juristen-Zeitung* XLI, no. 1 (1936): 16.

28 Carl Schmitt "Nationalsozialistisches Rechtsdenken," *Deutsches Recht* IV, no. 10 (1934): 227. See also, Schmitt, *Glossarium*, 265–266.

Although Schmitt suggests a continuity between Hobbes and Spinoza, deeming the latter's thought as developing from the former, he realizes the differences between these two thinkers. Schmitt insists that if Hobbes's thought includes a structural weakness, this was an unconscious one, which Spinoza supposedly utilized in an opportunistic manner. In Schmitt's reading it was thus not so much Immanuel Kant (1724–1804) as Spinoza who laid the foundations for the simultaneous triumph of the Enlightenment, rationalism, and constitutionalism in nineteenth-century Europe.[29] Here one confronts Schmitt's deeply antisemitic logic. Although Jews are portrayed as being responsible for the worst aspects of the modern world (the destruction of the strong European nation-state and its replacement with liberal constitutionalism), they always remain profoundly unable to truly create something novel (thus Spinoza is portrayed simultaneously as a mere follower of Hobbes); their spirit by itself remains "sterile" and only demonstrates a "parasitic" relationship to the European way of thinking, to cite Schmitt's own antisemitic statements from the antisemitic conference he organized against "Jewishness in legal science" in 1936.[30]

However, Schmitt's resistance to Spinoza goes beyond antisemitic historical narratives and concerns central theoretical differences, especially Spinoza's equalization of God with nature. Because Spinoza's deterministic metaphysics radically excludes the possibility of non-natural interventions such as miracles,[31] Schmitt's definition of the sovereign as the one who decides on the exception is explicitly rejected by Spinoza's naturalism that asserts both that "nothing happens contrary to nature" and that "nature maintains an eternal, fixed and immutable order."[32] If God's "decrees and volitions are eternal truths and always involve necessity,"[33] then not only the Schmittian conception of the sovereign decision as born out of a normative nothingness, but also his whole conception of legal science as a secularized version of theology operating "structurally compatible concepts"[34] becomes a flagrant contradiction in terms. If there is no transcendent God capable of acting in this world, there can be no secularization that transforms the divine right of kings

29 Cf., Carl Schmitt, *Politische Theologie: Vier Kapitel zur Lehre von der Souveränität* (Berlin: Duncker & Humblot, 2015), 43.

30 Carl Schmitt, Schlusswort to *Das Judentum in der Rechtswissenschaft*, vol. 1 (Berlin: Deutscher Rechts-Verlag, 1936), 32.

31 Spinoza, *Theological-Political Treatise*, 81–96.

32 Spinoza, *Theological-Political Treatise*, 82.

33 Spinoza, *Theological-Political Treatise*, 65.

34 Carl Schmitt, *Politische Theologie II: Die Legende von der Erledigung jeder Politischen Theologie* (Berlin: Duncker & Humblot, 1996), 77, 79n1.

into popular sovereignty, and consequently, there can also be no modern juridical science in the Schmittian sense.

The only way to legitimize power, as Schmitt asserted continuously in his Weimar-era writings, was through the fiction of sovereignty that was constituted through the social contract. Because Spinoza's naturalistic system excludes the whole idea of a transcendent god, it must exclude the very possibility of a state of nature in the specifically Hobbesian sense. For Spinoza, all human actions are determined by God and are therefore always natural. For Hobbes, the state makes the notions of the private realm and even human individuality meaningful as such, but Spinoza understands the state of nature as one in which human reason remains unable to grasp the true nature of God.[35] In other words, for Spinoza, individuals precede the state. The goal of the state is not simply security and obedience in facing violent death, as in Hobbes, but rather the cultivation of free individuality through security and the liberty to philosophize. The substance of politics and the meaning of the state, for Spinoza, does not lie in the existential power of enmity – a definition that presupposes the dynamics of inclusion and exclusion – but in freedom itself. For all these reasons, Spinoza's famous way of using the concepts of God and nature as synonyms[36] provoked Schmitt: "The most audacious insult that has ever been inflicted upon God and man, and which legitimizes all curses of the synagogue, lies in the '*sive*' of the formula: *Deus sive Natura*."[37]

All of this is inextricably connected to the question of mortality and death. What Spinoza's equalization of nature and God undermines is precisely the Schmittian concept of sovereignty. If the fear of death as the foundational element of "the political" remains a mere externality, what happens to sovereignty itself? Schmitt's critique of Spinoza, as well as his antisemitic reading of European history, revolve around a certain metaphysical conception of mortality and death. Schmitt's portrayal of Spinoza as the very first radical and systematically liberal thinker, is based on the idea that Spinoza, the Jewish thinker par excellence, is unable to grasp the meaning of sovereignty precisely because his thought is devoid of any direct relationship with death as a political fact. "To look life straight in the face means to look death straight into the face."[38] For Schmitt, death plays a structural role within the realm of the political and does so in a plurality of interconnected ways.

35 Cf., Spinoza, *Theological-Political Treatise*, 197, 205–206.

36 Cf., Spinoza, *Theological-Political Treatise*, 45, 59, 262.

37 Schmitt, *Glossarium*, 22.

38 Carl Schmitt, *Tagebücher 1925 bis 1929*, ed. Martin Tielke and Gerd Giesler (Berlin: Duncker & Humblot, 2018), 419.

First, death plays a structural role in legitimizing sovereign power – this historical fact establishes itself with the political theory of Hobbes that reflects and helps found the modern state as a sovereign political entity. The state of Hobbes is nothing but a "façade before death"; it provides protection from death by subjecting individuals in the overawing arms of a sovereign power, thus creating a *deus mortalis*, the Leviathan.[39]

Second, for Schmitt, it was self-evident that those extraordinary moments in which any given matter rises to the sphere of "the political" required that the sovereign demand that their subjects be ready to kill and be killed.[40] It is in this sense that Schmitt clearly identifies sovereignty as the power over life and death, as the "*ius vitae ac necis*."[41] In Schmitt's reading, Spinoza exemplifies the failures of liberalism (as *the* typically Jewish way of thinking). Schmitt interprets Spinoza as a universalistic thinker, whose thought could not comprehend the necessity of friends and enemies in politics. As Schmitt notes in his diary: "The specific blandness and staleness of Jewish thought [. . .] explains itself through the fact that it has no relationship with death; not even fear of death. The this-worldliness of this people is atrocious."[42]

Third, Schmitt thought that to function, sovereignty, as the power over life and death, needs the fiction of the social contract and the monopolization of violence in the hands of the sovereign. By equating nature and God (just as Kelsen would equate law with the state), Spinoza is unable to think of exclusion and representation (within a political group) as political concepts; fear of death as the legitimizing metaphysical factor within the state of nature thus loses its Hobbesian significance. These differences are underpinned by two entirely different conceptions of what makes human life meaningful. For Schmitt, "the political" not only makes both killing and death sensible; the constant political possibility of killing and dying make life itself more meaningful and more intense.[43] For Spinoza, such divisions of inclusion and exclusion do not constitute the meaning of the state, not to speak of human life, but rather the minimal foundation for the individual striving for freedom through the security provided by the state. While in Schmitt's reading of Hobbes the metaphysical worldview represented by the sovereign constitutes nothing less than a life-defining "identity between those

39 Schmitt, *Glossarium*, 30.

40 Carl Schmitt, *Der Begriff des Politischen: Text von 1932 mit einem Vorwort und drei Corollarien* (Berlin: Duncker & Humblot, 2009), 33–34.

41 Schmitt, *Der Begriff des Politischen*, 47–48.

42 Carl Schmitt, *Der Schatten Gottes: Introspektionen, Tagebücher und Briefe 1921 bis 1924,* ed. Gerd Giesler, Ernst Hüsmert, and Wolfgang H. Spindler (Berlin: Duncker & Humblot, 2014), 477.

43 Carl Schmitt, *Verfassungslehre* (Berlin: Duncker and Humblot, 2010), 210.

who rule and those who are ruled" in the democratic era,[44] Spinoza declares that "it is not the reason for being obedient that makes a subject, but obedience as such."[45]

Unlike Hobbes and Schmitt, Spinoza gives no existential meaning to the political representation of an idea beyond external obedience. In other words, conforming to the practices required by a sovereign must not necessarily reflect one's actual beliefs. In a Christian state, people do not actually need to believe that the king is the vicar of God, they must rather simply obey him, because he channels power and "accommodates piety and religion to the public interest."[46] And not only this. For Spinoza, in the most non-Hobbesian turn of phrase, the criterion for evaluating freedom always remains individual freedom and obedience at the face of death, not actual belief in the idea represented by the sovereign: "The less people are accorded liberty of judgment, consequently, the further they are from the most natural condition, and, hence, the more oppressive the regime."[47]

What in Schmitt's opinion constitutes the very core of Spinoza's relationship with death can be analyzed through Schmitt's comments on a well-known story told by Spinoza's biographer: "He [Spinoza] looked for some spiders, and made them fight together, or he threw some flies into a cobweb, and was so well pleased with that battle, that he would sometimes break into laughter."[48] Deleuze takes up this famous biographical passage and comments it as follows:

> This anecdote appears authentic because it has many Spinozan resonances. Spider fights, or spider–fly fights, could have fascinated Spinoza for several reasons: 1. from the standpoint of the exteriority of necessary death; 2. from the standpoint of the composition of relations in nature (how the web expresses a relationship of the spider with the world, one which appropriates, as such, relations peculiar to the fly); 3. from the standpoint of the relativity of perfections (how a state that marks an imperfection of man, e.g., warfare, can on the contrary testify to a perfection if it is related to a different essence such as that of insects: cf. Letter XIX to Blyenbergh).[49]

While all these readings suggested by Deleuze indeed seem plausible, Schmitt's reading of this passage, however, is entirely different. In his post-war notebook, the *Glossarium*, which Schmitt kept from 1947 to 1958, one finds interesting refer-

44 Schmitt, *Politische Theologie*, 53

45 Spinoza, *Theological-Political Treatise*, 209.

46 Spinoza, *Theological-Political Treatise*, 243.

47 Spinoza, *Theological-Political Treatise*, 257.

48 Deleuze, *Spinoza*, 12. This story is cited in Jacob Freudenthal, *Das Leben Spinozas,* vol. 1 (Stuttgart: Fr. Frommanns Verlag, 1904), 186.

49 Deleuze, *Spinoza*, 12n9. See also Gilles Deleuze and Felix Guattari, *Qu'est-ce que la philosophie?* (Paris: Les éditions de minuit, 2005), 74–75.

ences to Spinoza and to the anecdote concerning spider fights. On one occasion, Schmitt offers the following comments: "In the seventeenth century Spinoza watched with great enjoyment the battle of destruction (*Vernichtungskampf*) between spiders and flies; this was his only recovery from his thinking [. . .] It makes me deeply melancholic, and I rather look away."[50]

Schmitt's negative comments on this anecdote may be read in the light of his 1938 book on Hobbes in which he not only accuses the Jews in general, and Spinoza in particular, for the inner destruction of the modern European nation-state, but makes even wider-reaching claims concerning European history. In Schmitt's curious reappropriation of the Marxian conception of history as class struggle, he claims that world history is a battle between land and sea powers and the two mythical monsters that represents these political entities – the Leviathans and the Behemoths – an argument that Schmitt will later expand on in his book *Land und Meer* (1942). In Schmitt's Nazi reading of history, the "incomparable position" of the Jewish people consists of their determination to stand outside this conflict and watch as these mythical beasts slaughter each other.[51] Influenced by well-known antisemitic works – he refers to Johann Andreas Eisenmenger's *Entdecktes Judentum* – Schmitt maintains that this Jewish feasting on the bodies of these mythical beasts (i.e., European empires and states), is "kosher."[52]

The implied imaginary is more than clear. For Spinoza, death is a game; for Schmitt, it is serious. Schmitt claims that Spinoza refuses to give death the metaphysical position it deserves in any consistent and truly political theory, thus portraying him hypocritical. By denying death in universalistic, metaphysical terms, in secret, in the realm of the personal, Schmitt claims, Spinoza enjoys the death of others, the Europeans, as a public spectacle, as an event that does not concern him in his abstract normativity. In what follows, I examine a counterexample to Schmitt's hostile interpretation of Spinoza, from the political theory of Hannah Arendt.

50 Schmitt, *Glossarium*, 122. In a letter to Karl Jaspers, Arendt speculates that this anecdote represents Spinoza's attempt at creating a kind of "microcosmos." Hannah Arendt and Karl Jaspers, *Briefwechsel 1926–1969*, ed. Hans Saner (Munich: Piper, 1993), 177–178.

51 Schmitt, *Der Leviathan*, 16–17.

52 Schmitt, *Der Leviathan*, 18.

3 Spinoza as an (absent) ally? Arendt's decoupling of death and politics for the sake of natality

After finishing *The Origins of Totalitarianism (*1951), Arendt began reading the classics of Western political thought in a systematic manner to investigate their relationship with totalitarianism. By asking the question "What is politics?" in her thought-diary in 1950,[53] Arendt set out to read Western philosophy "from Plato to Nietzsche" to find out why it never had a "pure concept of the political"[54] and why it failed to develop a "proper (*ordentliche*) political philosophy."[55] As Arendt's notebooks, letters and publications demonstrate, she consulted Spinoza's main works: the *Ethics*, the *Theological-Political Treatise*, and the *Political Treatise*.[56]

In a 1952 letter to her teacher, Karl Jaspers (1883–1969), Arendt describes Spinoza as a "great philosopher and as such sui generis."[57] In Arendt's vocabulary, this was an extremely rare expression to describe some of her central influences, such as Walter Benjamin (1892–1940), Martin Heidegger and Rosa Luxemburg (1871–1919). Curiously, while Arendt would sometimes offer a fairly positive view of Spinoza in her private diaries and correspondence, in her many of her published works, Arendt would either ignore Spinoza fully or only treat him in passing, as in *The Origins* and *The Human Condition*.[58] Perhaps most conspicuous is the absence of Spinoza in Arendt's 1940s writings, in which she tried to sketch a cultural counter tradition of pariahdom to the more official strains of Judaism.[59] This is even more surprising, since Arendt notes Spinoza's role as a heretic to Orthodox Judaism and even informs us that she had tried to convince Shlomo Zalman Schocken to publish a collection of

53 Hannah Arendt, *Denktagebuch 1950–1973,* ed. Ursula Ludz and Ingeborg Nordmann (Munich: Piper, 2002–2003), 15–18.

54 Arendt and Jaspers, *Briefwechsel 1926–1969*, 203.

55 Hannah Arendt and Kurt Blumenfeld, *Die Korrespondez: In keinem Besitz verwurzelt* (Hamburg: Rotbuch Verlag, 1995), 68; cf., Hannah Arendt and Martin Heidegger, *Briefe 1925 bis 1975 und andere Zeugnisse* (Frankfurt am Main: Klostermann, 1998), 145–146.

56 See Arendt, *Denktagebuch*, 113, 176, 464, 506–507, 510, 708, 733, 757–758, 784–785, 793; Hannah Arendt, *Kritische Gesamtausgabe*, ed. Barbara Hahn and James McFarland, vol. 6 (Göttingen: Wallstein, 2018), 67, 129, 294, 526–528, 533.

57 Arendt and Jaspers, *Briefwechsel 1926–1969*, 235.

58 Hannah Arendt, *The Origins of Totalitarianism* (New York: Schocken, 1994), 163; Hannah Arendt, *The Human Condition*, 2nd ed. (Chicago, IL: University of Chicago Press, 1998), 272.

59 See for instance, Hannah Arendt, *The Jewish Writings*, ed. Jerome Kohn and Ron H. Feldman (New York: Schocken, 2007), 275–302. For early mentions of Spinoza by Arendt, see Arendt, *Jewish Writings*, 49, 226, 229–230; Hannah Arendt and Hermann Broch, *Briefwechsel 1946 bis 1951*, ed. Paul Miachel Lützeler (Frankfurt am Main: Jüdischer Verlag, 1996), 182.

Spinoza's writings – a proposal that Schocken rejected on the grounds that Spinoza was not a real Jewish thinker.[60]

One of Arendt's 1940s letters to Jaspers elaborates on this relative absence of Spinoza in her works. In this letter, Arendt openly notes her disagreement with Spinoza's way of thinking, without explaining the matter in detail.[61] However, in 1965, she notes that after reading Jaspers's *Die großen Philosophen* (1957) Spinoza has come "closer to her" and that she is now "occasionally truly fascinated."[62] This closeness between her own thought and Spinoza's was predicted by Jaspers. After Arendt had noted that she would be giving a seminar on Kant's *Kritik der Urteilskraft* (1790) as well as on Spinoza,[63] Jaspers commented: "With Spinoza you will see, if you study him in all directions, that he does not share the hostility toward politics that you discover with all philosophers with the exception of Kant."[64] Based on this, Arendt's reading of Spinoza may have become less critical with time, especially after, as Arendt herself would put it, she had "returned to philosophy a little bit"[65] (after having insisted she was more of a political theorist).[66]

Spinoza's work comes much closer to Arendt's project of rethinking Western thought from the perspective of human plurality than Arendt herself would admit. I argue that this is especially true in understanding the nature of mortality, death, sovereignty, and violence in politics – all concepts that Arendt's political theory tried to rethink radically against the grain of tradition. This is not to deny the fact that from Arendt's perspective there are grounds for a critical reading of Spinoza. For instance, Spinoza's determinism[67] seems to leave very little room for

60 Arendt and Jaspers, *Briefwechsel*, 235–236.

61 Arendt and Jaspers, *Briefwechsel*, 178.

62 Arendt and Jaspers, *Briefwechsel*, 629.

63 Arendt and Jaspers, *Briefwechsel*, 605.

64 Arendt and Jaspers, *Briefwechsel*, 608.

65 Hannah Arendt and Joachim Fest, *Eichmann war von empörender Dummheit: Gespräche und Briefe*, ed. Ursula Ludz and Thomas Wild (München: Piper, 2013), 94; cf., Margaret Canovan, *Hannah Arendt: A Reinterpretation of Her Political Thought* (Cambridge: Cambridge University Press, 1992), 253. In January 1972 Arendt even explicitly notes: "my field is rather something like political philosophy"; Arendt's own words, in Emilio Ambasz, ed., *The Universitas Project: Solutions for a Post-Technological Society* (New York: MoMA Publications, 2006), 373.

66 For context, see Elisabeth Young-Bruehl, *Hannah Arendt: For the Love of the World* (New Haven, CT: Yale University Press, 2004), 327.

67 Even if one understands Spinoza's statement that "nobody does anything except by the predetermined order of nature" in the light of his philosophical definition of God ("nothing can exist or be conceived without God"), and while this may empty out the traditional notion of God in favor of human reason, it also forces the latter to conceive of every deed as pre-ordained. Spinoza, *Theological-Political Treatise,* 45, 59. Yet, if everything is from God and is part of God, does this not, by its very definition, entail absolute, radical freedom and reduce the Divine into a

natality in the Arendtian sense of beginning something entirely new in the world,[68] or the fact that while Spinoza's thought is based on a philosophical definition of human nature,[69] Arendt's political theory focuses on the phenomenological analysis of the appearing "whoness" of human beings instead of their natural whatness.[70]

Despite these differences, I believe that Arendt's remarks on Spinoza are consistently misleading and lead her to ignore one of the few thinkers she could have used to reframe her own political theory of natality against the grain of the tradition. Reading Spinoza as a thinker who, like Hobbes, simply reduces politics and freedom to a matter of security,[71] Arendt subjugates Spinoza's thought to her own historical narrative in which the prejudices of philosophy have dominated politics ever since the death of Socrates and the rise of philosophy in Plato and Aristotle.[72] Thus, like Plato, also Spinoza shares the fundamental prejudice of the Western tradition according to which "the *libertas philosophandi* was the true end of government."[73]

While Spinoza notes this in his *Theological-Political Treatise*,[74] from his unique perspective this has nothing to do with the reduction of politics to philosophy that Arendt sought to undermine. Although Spinoza repeatedly states that the freedom

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mere (Kantian?) postulate of meaningfulness? For as Spinoza himself puts it, the "fundamental dogma of theology" is not a matter of reason and truth, but rather a "moral certainty". Spinoza, *Theological-Political Treatise*, 191.

68 Spinoza emphasizes, over and over again, that one should not "confuse freedom with contingency" and that action grows not from freedom but from necessity. Spinoza, *Political Treatise*, 40, 42.

69 Cf., Spinoza, *Political Treatise*, 35–36, 56, 61, 64, 77–78, 90, 101.

70 See especially Sophie Loidolt, *Phenomenology of Plurality: Hannah Arendt on Political Intersubjectivity* (London: Routledge, 2018).

71 Hannah Arendt, *Between Past and Future*, ed. Jerome Kohn (London: Penguin, 2006), 148, 224; Arendt, *Kritische Gesamtausgabe*, 533. Spinoza indeed notes that "people's safety is the supreme law". Spinoza, *Theological-Political Treatise*, 242. However, Arendt offers a very one sided reading of this argument.

72 On this narrative in Arendt, see Adriana Cavarero, "The Human Reconceived: Back to Socrates with Arendt," in *Antiquities Beyond Humanism*, ed. Emanuela Bianchi, Sara Brill, and Brooke Holmes (Oxford: Oxford University Press, 2019), 31–46; Ville Suuronen, "Hannah Arendt's Genealogy of Biopolitics: From Greek Materialism to Modern Human Superfluity," in *Biopolitics and Ancient Thought*, ed. Jussi Backman and Antonio Cimino (Oxford: Oxford University Press, 2022), 147–167.

73 Arendt, *Between Past and Future*, 290 endnote 2. It is clearly in the same vein when Arendt suggests that "Spinoza polishing lenses eventually could become the symbolic figure of the philosopher." Arendt, *The Promise of Politics*, 83; Arendt, *Kritische Gesamtausgabe*, 294.

74 Spinoza, *Theological-Political Treatise*, 254.

and virtue of the state lies in its security,[75] Arendt falsely presumes that Spinoza's ideal model of the state would be established solely for the security of the philosopher. In fact, coming surprisingly close to Arendt's distinction between "men of thought" and "men of action,"[76] Spinoza criticizes the Western philosophical and theological traditions for their attempts to impose abstract standards upon politics. Spinoza not only notes that "no men are regarded as less fit for governing a state than theoreticians or philosophers," but also notes that "statesmen" have written about matters political in a much more effective manner.[77] In this same sense, Spinoza notes that the central purpose of his critical method of reading the Bible is to free the minds of men from the prejudices of Western theological tradition,[78] which in Spinoza's reading is itself a readaptation of Platonic and Aristotelian teachings,[79] a kind of a fundamental perversion, something also noted by Arendt.[80]

In a critical gesture not unlike Kant's later notion of *Selbstdenken*, Spinoza claims that while "the virtue of a state is security," this corresponds with the fact that "freedom of spirit or strength of mind is the virtue of a private citizen."[81] Spinoza claims consistently that "no one can surrender his faculty of judgment."[82] He emphasizes the importance of deeds over thoughts, of worldly appearance over the solitude of contemplation, when he repeatedly notes that "we can know no one except from his works"[83]; that the core of one's personality is not some essential whatness, but rather a concrete whoness that appears and acts in this world; and that the only concrete meaning which piety and faith may take in this world are to be determined based on concrete actions.[84]

It is precisely in this connection between the freedom of individuals and the right form of the state that Spinoza undercuts the Hobbesian-Schmittian nexus between sovereignty and mortality, based on the mere *external* fear of death. If for Hobbes, whose Leviathan offers protection at the price of obedience, freedom is simply absence of (the fear of violent) death within a civil order, just as peace

75 Spinoza, *Political Treatise*, 36; Spinoza, *Theological-Political Treatise*, 47

76 Arendt, *Human Condition*, 9, 17–18, 220.

77 Spinoza, *Political Treatise*, 33–34.

78 Spinoza, *Theological-Political Treatise*, 42, 61, 98, 108.

79 Spinoza, *Theological-Political Treatise*, 8, 173.

80 See the sources in footnote 72.

81 Spinoza, *Political Treatise*, 36.

82 Spinoza, *Political Treatise*, 51.

83 Spinoza, *Theological-Political Treatise*, 80. Arendt notes similarly that she has "always believed that 'one *is* one's life.'" Hannah Arendt and Mary McCarthy, *Between Friends: The Correspondence of Hannah Arendt and Mary McCarthy 1949–1975*, ed. Carl Brightman (New York: Harcourt, 1995), 375.

84 Spinoza, *Theological-Political Treatise*, 177, 179–181, 234.

is the absence of war,[85] for Spinoza these are mere *negative conditions* for freedom, but not their substance: "peace is not just the absence of war, but a virtue which comes from strength of mind."[86] Defining this virtue, Spinoza writes that:

> a free people is led more by hope than by fear, while a subjugated people is led more by fear than by hope; the former seeks to engage in living, the latter simply to avoid death. The former, I say, seeks to live for itself, the latter is forced to belong to a conqueror; hence we say that the latter is a slave, the former is free.[87]

To understand sovereignty in terms of Hobbes means to understand individuals as "equal" before the threat of violent death; sovereignty is the power that "overawes"[88] its subjects and equalizes them before death. It is precisely in this sense that Schmitt contrasts Hobbes's "clean" and "tactful" individualism with that of Spinoza's.[89] In Schmitt's reading, only for Hobbes is the sovereign state a "baroque façade" that produces *legitimate* rule (*Herrschaft*) and not mere *legalistic* power (*Macht*) as in Spinoza.[90] For Spinoza, this mere externality or legitimacy is not enough, since "truth of mind" can never be "instilled in men by the power of laws or by public authority."[91] Unlike the Hobbesian-Schmittian juridical focus on externality – on the representation of a shared existential idea – what connects Spinoza and Arendt is their emphasis on "one's own free judgment" and the notion that "no one can be compelled to be happy by force of law."[92]

In Arendt's reading, the Western philosophical tradition misconstructs equality as "equality before death," which, as Arendt puts it, is actually only a "marginal experience" in politics.[93] Here Spinoza would agree fully.[94] To understand sover-

85 Thomas Hobbes, *Leviathan* (Oxford: Clarendon Press, 1929), 95.

86 Spinoza, *Political Treatise*, 62. Although Spinoza does describe the sovereign as the "mind of the state," within a democratic form of government, Spinoza's argument is necessarily individualistic as in a democracy the governing council is "composed of the people in general". Spinoza, *Political Treatise*, 44, 57.

87 Spinoza, *Political Treatise*, 62–63; Spinoza, *Theological-Political Treatise*, 73.

88 Hobbes, *Leviathan*, 95.

89 Schmitt, *Glossarium*, 78

90 Schmitt, *Glossarium*, 30–31. In Schmittian terminology, legitimacy refers to the power derived from its fundamental source (the god, the people, etc.), whereas legality describes the potential room for maneuver within a certain legal space.

91 Spinoza, *Theological-Political Treatise*, 116.

92 Spinoza, *Theological-Political Treatise*, 116.

93 Hannah Arendt, *Denktagebuch 1950–1973,* ed. Ursula Ludz and Ingeborg Nordmann (Munich: Piper, 2002–2003), 534. As Arendt notes elsewhere, in Hobbes the fear of violent death is only a synonym for political impotence of isolated individuals. Arendt, *Denktagebuch,* 510.

94 On the contrast between Spinoza and the Hobbesian tradition of sovereignty, see for instance, Antonio Negri, *The Savage Anomaly: The Power of Spinoza's Metaphysics and Politics*, trans.

eignty (*imperium*) with Spinoza means to conceive of the state as the form of civil order that enables individuals to pursue freedom; not the contemplative freedom of the philosophers, but rather a concrete practice of freedom in the Aristotelian sense of virtue. Here is the concrete difference between the "juridical" and "anti-juridical" traditions mentioned by Deleuze. Spinoza specifies the importance of (internal-individual) judgment above the (external representative) Hobbesian fear of death at the end of his *Theological-Political Treatise*:

> Those who know themselves to be honest, do not fear death as wrongdoers fear it and plead to escape punishment. Their minds are not tormented by remorse for shameful actions. On the contrary they consider it not a punishment but an honor to die in a good cause: they deem it glorious to die for freedom. And what an example to give! [. . .] freedom of judgment must necessarily be permitted and people must be governed in such a way that they can live in harmony, even though they openly hold different and contradictory opinions.[95]

Here one may perceive intimate connections with the political thought of Arendt; that to do politics means to set an example; that glory, honor, and power in the Machiavellian sense are profoundly public political categories, and that the very core and substance of politics has always been freedom and life, not death and mortality.

Yet, Arendt herself fails to make these connections in her own writings. Curiously, in her *Denktagebuch*, Arendt notes Spinoza's famous words from *Ethics*: "a free man thinks of death least of all things; and his wisdom is a meditation not of death but of life."[96] Citing these words, Arendt must have realized how this striking sentence, which condenses the core of Spinoza's metaphysical system, constitutes a major exception in the long tradition of Western political thought, especially since Arendt herself contends the following: "Since action is the political activity par excellence, natality, and not mortality, may be the central category of the political, as distinguished from metaphysical thought."[97] This is one of the most cited passages from *The Human Condition*, a sentence that not only contrasts the "mortality" of "metaphysical thought" with the "natality" of "the political," but in doing so discloses the basis for Arendt's central critique of the Western tradition of thought. For Arendt, the tradition has profoundly confused these two different points of departure, mortality and natality, by interpreting and even reducing the political realm to a matter of metaphysics, or death, instead of seeing it as a realm of new begin-

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Michael Hardt (Minneapolis, MN: University of Minnesota Press, 1991); Roberto Esposito, *Catégories de l'impolitique*, trans. Nadine Le Lirzin (Paris: Seuil, 2005), 7–8.

95 Spinoza, *Theological-Political Treatise*, 256–257.

96 Arendt, *Denktagebuch*, 507.

97 Arendt, *Human Condition*, 9.

nings, or natality. This condensed and very complex argument is expressed in more detail in the substantially diverging German version, *Vita Activa. Vom tätigen Leben* (1960):

> And since action is the political activity par excellence, it may very well be that natality (*Natalität*) is for political thought (*politisches Denken*) an equally decisive, category-building fact (*Faktum*), as mortality since times immemorial and in the West (*Abendland*) at least since Plato constituted the factual basis (*Tatbestand*), on which metaphysical philosophical thinking ignited itself (*an dem metaphysisch-philosophisches Denken sich entzündete*).[98]

That the philosophical discourse in Europe after World War I was defined by a "wave of death-philosophies,"[99] was thus, at least in Arendt's reading, no accident. This was one of the "subterranean" forces at the core of the Western philosophical tradition,[100] whose political relevance would become obvious only in the twentieth century.[101] As she notes in her *Denktagebuch*: "It is as if, ever since Plato, human beings have not been able to take the fact of being born (*Geborenseins*) seriously, but rather only [the fact] of dying (*Sterbens*)."[102] Despite noting Spinoza's words here, she never pursues this exception within the tradition any further.

Ignoring such fundamental similarities, Arendt also compares Spinoza negatively with Kant. Arendt maintains that only Kant recognizes the importance of communication for the use of reason, while Spinoza, like the Western philosophical tradition as such, supposedly remains solipsistic in this regard.[103] Although Spinoza is "often wrongly praised as a champion of free thought and speech," in reality, he "nowhere" demands such liberties, as unlike Kant, who believed in the public use of reason as a criterion for the use of reason as such, Spinoza still believed in the "infallibility of human reason" in its solipsistic purity.[104] The notion that Spinoza accords no importance to what Kant called public use of reason is highly problematic. Consider his words from the *Political Treatise*:

> [W]hen all decisions are made by a few men who have only themselves to please, freedom and the common good are lost. The fact is that men's wits are too obtuse to get straight to the heart of every question, but by discussing, listening to others, and debating, their wits are

98 Arendt, *Vita Activa*, 18. On the differences between reading Arendt in English and German, see Marie-Luise Knott, *Unlearning with Hannah Arendt*, trans. David Dollenmayer (London: Granta, 2013).
99 Arendt, *Origins*, 173.
100 Cf., Arendt, *Origins*, ix, 45, 120, 333.
101 Cf., Arendt, *Denktagebuch*, 43.
102 Arendt, *Denktagebuch*, 463.
103 Arendt, *Between Past and Future*, 230.
104 Arendt, *Between Past and Future*, 230.

> sharpened, and by exploring every avenue they eventually discover what they are seeking, something that meets with general approval and that no one had previously thought of.[105]

Does one not see here a Spinoza, who shares a profoundly Kantian path toward enlightenment (something that Schmitt also recognized, as we have seen above)? And yet, in Arendt's reading, Spinoza not only repeats the prejudices of the Western philosophical tradition initiated by the ancient Greek philosophers, but even represents an apex of this tradition in demonstrating a "secret love for benevolent tyrants" – in this regard, Arendt claims, Spinoza is not unlike Nietzsche.[106] Since, in reality, Spinoza can be defined as the first major political thinker since classical antiquity to defend democracy, or perhaps one could say, an original form of democratic republicanism[107] – a defense at the core of Arendt's political theory – Arendt's one-sided reading here seems out of place. For Spinoza that "best way of ruling" is *everything but* a tyranny; instead of equating nature with dominance, Spinoza claims that "the one [form of government] most in harmony with human nature," is, in fact, a "democratic state."[108]

Spinoza's criterion for assessing the superiority of forms of government was their "preservation of freedom,"[109] and consequently whether or not freedom is shared by "more of its members."[110] For Arendt, however, the experience of revolution and civil war evoked a yearning for peace at "almost any price" in both Spinoza and Hobbes, leading both to develop a political philosophy in which action, "more than ever before," was either trusted "only to the few" (Spinoza) or to the "one ruler" (Hobbes).[111] This is, quite simply, untrue. For if one thing penetrates Spinoza's thinking, it is indeed the idea of freedom. Much like Arendt, who always insisted that "the meaning (*Sinn*) of politics is freedom,"[112] Spinoza emphasized in his *Theological-Political Treatise* and other works that "the true purpose of the state is in fact freedom."[113]

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105 Spinoza, *Political Treatise*, 126; cf., Spinoza, *Theological-Political Treatise*, 11. In relation to this Spinoza states that: "it is no more in our power to have a sound mind than to have a sound body." Spinoza, *Political Treatise*, 39.

106 Arendt, *Kritische Gesamtausgabe*, 67, 129.

107 Spinoza, *Theological-Political Treatise*, 6, 202, 257.

108 Spinoza, *Theological-Political Treatise*, 257.

109 Spinoza, *Political Treatise*, 95.

110 Spinoza, *Political Treatise*, 127.

111 Arendt, *Kritische Gesamtausgabe*, 528.

112 Hannah Arendt, *Was ist Politik?,* ed. Ursula Ludz (München: Piper, 2010), 28.

113 Spinoza, *Theological-Political Treatise*, 252.

4 Conclusion: the juridical and anti-juridical traditions of political thought

At the beginning of this chapter, I suggested that Schmitt's and Arendt's readings of Spinoza would disclose two approaches to theorizing the political, and following Deleuze, I called these approaches anti-juridical and juridical. If it is true, as Schmitt once notes in a letter to his friend Ernst Jünger (1895–1998), that among thinkers "points of contact in the periphery" may "indicat[e] a closeness toward the center,"[114] the opposite may be equally true; differences at the peripheries of two different political theories may sometimes disclose differences at the center. I believe that the discourses on Spinoza from the margins of Arendt's and Schmitt's political thought reveals a crucial difference at the very center of their thought.[115] To conclude, I draw some general differences between the juridical tradition of Hobbes and Schmitt and the anti-juridical approach of Spinoza and Arendt.

Both Arendt and Schmitt agreed upon the fact that the notion of sovereignty has a systematic connection with death. While for Schmitt, the concept of sovereignty grounds the very existence of political freedom by creating the dichotomy of exclusion and inclusion – a differentiation that separates life from death – for Arendt, the notion of political freedom presupposes nothing less than getting rid of sovereignty as such, as she famously notes in relation to Schmitt's magnum opus *Verfassungslehre* (1928).[116] During the Weimar era, Schmitt saw it as his task to restore a clear juridical political concept of sovereignty, and as is well known, legal positivism, especially in Hans Kelsen (1881–1973), constituted Schmitt's key intellectual enemy in this debate.[117] As Miguel Vatter recently argued, the confrontation between Schmitt and Kelsen also operates on the historical level; in his critique of Schmitt's constitutional theory, Kelsen deploys Spinoza as a key ally. In this sense, the famous differences between Schmitt and Kelsen are themselves reflected and replicated in their diametrically opposed readings of Spi-

114 Ernst Jünger and Carl Schmitt, *Briefwechsel: Briefe 1930–1983*, ed. Helmuth Kiesel (Stuttgart: Klett-Cotta, 2012), 422.

115 That Arendt's ideas come close to Spinoza's and Schmitt's are diametrically opposed to them can also be perceived in their diverging relationships with Nietzsche; Arendt's rather positive and Schmitt's hostile reaction, are, at least in part, based on what Deleuze calls the "great identity Spinoza-Nietzsche." Deleuze, *Pourparlers*, 185.

116 Arendt, *Between Past and Future*, 162–163, 289 endnote 21.

117 Michael Stolleis, *Geschichte des öffentlichen Rechts in Deutschland: Weimarer Republik und Nationalsozialismus* (München: C.H.Beck, 2002), 37–245; Stefan Breuer, *Carl Schmitt im Kontext: Intellektuellenpolitik in Der Weimarer Republik* (Berlin: Akademie Verlag, 2012).

noza.[118] As I have sought to demonstrate here, something curiously similar applies to the theoretical differences between Schmitt and Arendt.[119]

Both Arendt and Schmitt would also agree, although for almost opposite reasons, that Spinoza deviated from the conventional ways of understanding the role of death in politics; for Schmitt, Spinoza represented the birth of (inherently "Jewish") liberal democracy that would ultimately cause the destruction of the European nation-state and system of public law; for Arendt, Spinoza was one of the very few thinkers who had managed to think against the notion of politics as rule over the other and politics as sovereignty, even if Arendt did not recognize this fully in her works, as analyzed above.

These two traditions depend on contrary metaphysics, on two different estimations on what makes human life meaningful. In the juridical tradition of Hobbes and Schmitt, structures overawe and subdue individuals in a positive and affirmative sense; a meaning "from above" fulfills the people and their life with security *and* meaning. This way of thinking always starts from the people, not the individual; underlining it is the suspension of individuality in the name of a represented fiction. In the anti-juridical tradition, politics is understood starting from human singularity, from the uniqueness of human individuals, and thus from the notion that "nature certainly does not create peoples, individuals do."[120] For Hobbes and Schmitt, who share a certain anthropological pessimism, politics operates on the capacity to limit the power of individuals in the name of collectives, the people; for Spinoza and Arendt, despite of the differences in their philosophical anthropologies, the question becomes that of channeling power in the right manner. As Spinoza puts it: "To organize everything in such a way that each person, of whatever character, prefers public right to private advantage, this is the real task, this the arduous work."[121]

While the juridical tradition of Hobbes and Schmitt takes its bearings from the necessity of violence, Spinoza and Arendt see violence as kind of emergency

118 Miguel Vatter, "Spinoza and the paradox of constitutionalism," *Crisis & Critique* 8, no. 1 (2021): 537–562.

119 On Schmitt's interpretation of Arendt, see Ville Suuronen, "Carl Schmitt's Confrontation with the Work of Hannah Arendt: A Debate on Totalitarianism, Power, and Banality of Evil," *Global Intellectual History* 8, no. 3 (2023): 270–305, https://doi.org/10.1080/23801883.2022.2074866.

120 Spinoza, *Theological-Political Treatise*, 225; cf., 164, 182.

121 Spinoza, *Theological-Political Treatise*, 211. Similarly, Arendt cites the American founding fathers to note that one should strive to make everyone feel "that he is a participator in the government of affairs, not merely at an election one day in the year, but every day; when there shall not be a man in the state who will not be a member of some one of its councils, great or small, he will let the heart be torn out of his body sooner than his power wrested from him by a Caesar or a Bonaparte." Hannah Arendt, *On Revolution* (New York: Penguin, 2006), 246.

measure that always risks mischannelling the political power of individuals.[122] This fundamental difference can be conceptualized through antonymic concepts: immobile/mobile, motionless/moving, static/motile. The juridical tradition always fantasizes about a state of permanence and stability in which power *is* violence that operates to kill and shut down movement within or to prevent foreign powers and movements from entering a certain static enclosure. Historically, this utopian ideal has its roots in Plato's *Republic*, where the perfect state is described as one of natural harmony between the soul, the social orders, and the cosmos itself – an image that mimics the cosmic order and aims to resist the degeneration of the state.[123]

On the contrary, the metaphysics of the anti-juridical tradition are, by definition, modern and revolutionary; they operate without such a static fantasy and recognize the permanence of motion. For Spinoza, in a perfect state (human) nature and God (would) operate as perfectly synonymous, not in their stillness (as political theorists have fantasized in various ways from Plato to Hobbes and Schmitt), but rather in a complexly ordered system of channels and flows, in which each person, by acting selfishly, would act for the common good. Spinoza's naturalistic deterministic conception of the good state overlaps curiously with a statement of Georges Clemenceau (1841–1929), which according to Arendt is the basic principle of every healthy political community: "*L'affaire d'un seul est l'affaire de tous.*"[124] Speaking politically, the affairs of a single individual are the affairs of everyone.

In various ways, all the differences between the juridical and anti-juridical approaches to theorizing politics stem from two different metaphysics; in the juridical tradition of Hobbes and Schmitt, they stem from the economics of death/mortality/immobility/sovereignty/fear; in the anti-juridical tradition of Spinoza and Arendt, from the machinery of life/natality/motility/freedom/hope.

In decoupling sovereignty from politics, on the one hand, and by demonstrating the ontological connection between sovereignty and death, on the other, Arendt attempts to sketch out a new political language of natality and human plurality that utilizes the Western tradition against itself by systematically replacing death with action, plurality, and life. In this project, Spinoza is one of her unacknowledged allies. The only way to go beyond the tradition is to read through it,

122 Cf., Spinoza, *Theological-Political Treatise*, 251–252.

123 Karl Popper, *The Open Society and Its Enemies*, vol. 1 (London: Routledge & Kegan Paul, 1974), 19–20, 31, 35–56.

124 Hannah Arendt, *Elemente und Ursprünge totaler Herrschaft* (München: Piper, 2016), 975.

to explode it from within, as Hélène Cixous points out.[125] This is precisely Arendt's aim: to replace the monolithic and phallogocentric language of sovereignty with the polyphonic language of human pluralities. Arendt's political thought is based on the conviction, to cite Cixous once again, that "wherever history still unfolds as the history of death, she does not tread." Refusing to narrate the history of politics as the history of death and sovereignty, she re-narrates "the history of life" starting from "somewhere else"[126] – from those rare moments in which politics was realized as speech, persuasion, and plurality.[127]

But is this retelling of history merely critical and negative, or does it include a positive momentum? Deleuze and Felix Guattari (1930–1992) have famously argued that Spinoza poses the most fundamental political question: "Why do human beings fight *for* their servitude as though it were their salvation?"[128] If there is a fundamental connection between Spinoza and Arendt, as I have argued here, perhaps one could also reformulate the accent of this question in positive-political terms to replace death with life/natality and refocus it on the relation between institutions and individuals. The plural political question of the anti-juridical tradition would then become something like this: How can one organize a political entity in a way that enables human beings to continuously fight for their liberty – to prefer freedom over tyranny, action over violence, and life over death?[129]

125 Hélène Cixous, "The Laugh of the Medusa," trans. Keith Cohen and Paula Cohen, *Signs* 1, no. 4 (1976): 887.

126 Cixous, "The laugh of the medusa," 893.

127 Arendt, *Was ist Politik?*, 41–42; cf., Shmuel Lederman, *Hannah Arendt and Participatory Democracy: A People's Utopia* (London: Routledge, 2019).

128 Gilles Deleuze and Felix Guattari, *L'Anti-Oedipe: Capitalisme et schizophrénie* (Paris: Les éditions de minuit, 1973), 36–37.

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