

Transcript

Nicolas Lema Habash - "Spinoza's political exception? The problem of sovereign interruption in the TTP"

Nicolas Lema Habash:

Chapter 19 of Spinoza's Theological-Political Treatise is about the right of the civil sovereign to decide on all things sacred. Spinoza's argument concludes that obedience to God supposes contributing to the public good, and this, in turn, requires strict obedience to the sovereign. But immediately after drawing this conclusion Spinoza seems to introduce an exception to this rigid doctrine of obedience to the civil sovereign. Explained by the example of Christ and his apostles, Spinoza uses the very term "exception" to indicate a particular way of challenging the power of a tyrant sovereign.

He says, I quote, "at the end of Chapter 16 I explicitly warned that everyone is bound to keep faith even with a tyrant, except (excepto) someone to whom God by a certain revelation had promised special aid against the tyrant. So, no one is allowed to take this as an example, unless he also has the power to perform miracles. This is also clear from the fact that Christ told his disciples that they shouldn't fear those who kill the body."

The idea of an exception in Spinoza lingers here as problematic. It is difficult to account for a genuine concept of exception in Spinoza's TTP given that he explicitly rejects any interruption of the laws of nature, such as in the case of miracles as we saw in the previous panel. And likewise given that Spinoza criticizes any exception in the rule of law whose enforcement depends exclusively on the sovereign. So, the question to be asked from this passage is double: in what sense is Spinoza referring to an exception, as related to a revelation, and what is the source authorizing such an exception? My hypothesis in this still work in progress paper is also double. In the first place I argue that exception here relates to a Spinozist account of rebellion in the face of a violent sovereign. Such a conception of rebellion is anchored in a political analysis of the true life, the vera vita of Christ and his apostles.

The second related hypothesis concerns the reference to the body of Christ, his apostles and the body of the figure of the honestus, so the honest or the just person, presented in Chapter 20. My argument is that implicit in Spinoza's idea of resistance there lies a reference to the possibility to attempt an interruption of tyranny, authorized by the experience of mistreated and exploited bodies. My aim is thus only to partially reconstruct Spinoza's notion of political exception. More importantly my goal is to work with Spinoza, perhaps attempting an immanent critique of his idea of resistance in order to develop a conception of political interruption stemming from, and authorized by, injuries caused on bodies.

The first thing to ... establish is the exact conceptual content of the notion of revelation, and of the notion of miracle, as these terms ground the idea of an aid of God against the tyrant. In order to elucidate this, let us go back to Chapter 16. Spinoza says that "when we have a certain and undoubted revelation, we must obey God above all others", end of the quotation. The sovereign holds an absolute sovereign right over all things, but he must exceptionally subject him or herself to the judgment of a revelation. Spinoza says that the sovereign, I quote "is not bound to recognize anyone

as judge nor any mortal other than itself as the defender of any right except (nisi) ... except a prophet whom God has expressedly sent and who has shown this by undubitable signs", end of the quotation. Thus, revelation is considered as a limit as it were to the legislative right of the sovereign. Spinoza proposes here something like an allegorical use of the notions of miracle and revelation.

More completely, a certain revelation means truth which according to Spinoza's interpretation of Christ, pertains to him but not to the sovereign. Certainly, the sovereign decision concerning the instauration of a series of practices eventually resulting in love towards one neighbour stems from his power to dictate and enforce the law. But it also comes from the idea that insofar as everyone lives according to his or her own personality" - according to their own ingenium, we might say - "it is impossible to arrive at a spontaneous consensus on how to live together". Spinoza's idea of submitting or subjecting sovereign power to a revelation refers to an impossibility to know in all certainty that the laws and practices enforced by by this sovereign will follow true religion (or religio vera as he puts it) which supposes the practice of justice and piety.

To put it in other conceptual terms also used by Spinoza, insofar as the sovereign is an individual like any other individual, we cannot be certain that he or she will establish in the city what the TTP calls a vera ratio vivendi, a true principle or a true rule of living. Therefore, an exception to the sovereign right to dictate laws would come from truth, understood as certainty pertaining to the correct instauration of the law leading to the practice of true religion.

Who in the TTP carries this truth or certainty which is expressed by Spinoza in religious terms as revelation? As established in Chapter 19 the individual par excellence who carries this true knowledge is Christ. Christ's life depicted as depicted in the TTP is a true life, vera vita, precisely because it is an index of certainty. First an index of certainty to confirm Spinoza's interpretation of the bible as containing a message of love towards one neighbour. And second as an index of certainty, as an index in particular of political certainty that can authorize and promise special aid against the tyrant.

In following Spinoza's interpretation of Christ in the TTP, the political authorization that he enables to interrupt or counter civil sovereignty is not found on a transcendent revelation from God, but on his own understanding of nature, whereby he is also able to judge the laws of the tyrant, and to understand that they don't contribute to the instauration of peace. If the TTP provides a political interpretation of Christ attached to the idea of exception, one must also recognize that Christ does not appear as a sovereign, but only as a doctor. This means that Christ does not have the power to dictate...

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... whose political relevance lies in that they preach the content of a true form of life, but Christ is not in a position to inscribe that form of life into a positive code of laws. How then should we conceive of the political potentia of Christ, if he is not a sovereign? We must do so by understanding that the idea of exception at stake here, I believe, is not attached to a traditional concept of sovereign exception. In this sense the structure of exception or sovereign interruption in the TTP is opposed to Carl Schmitt. And I use here the most clichéd example to ... develop this, but I think it's a useful example. In explicitly following the structure of the miracle to explain exception, Schmitt established an analogy between a transcendent God able to suspend or break with the laws of nature. And it goes without saying that this is precisely the concept or the conception of miracle ... of miracles that Spinoza rejects. But what is important here is that, for Schmitt, the transcendent structure of a sovereign

exception allows him to suspend the law as if he were separated from it, just as God is separated from the laws of nature.

In Spinoza, sovereign interruption has a different structure. In the first place, as Christ is not a sovereign, the exception founded on revelation, or what comes down to the same truth is extrinsic to the civil sovereign. Actually, the figure of exception rooted in the true life of Christ entails a counterpower. What Spinoza calls exception is nothing but a power or as I will argue in a moment an attempt to found a power that's literally a potentiality, a power that counters a sovereign when the principle of living he has imposed does not contribute to the peace or the security of the state.

In Spinoza exception via revelation is not a sovereign suspension of the law in the manner of Schmitt but an act of resistance anchored in certitude. But can we say that resistance as Christ-like revelation actually holds any power to eventually overthrow a tyrant or to interrupt his right to govern? Indeed, Christ is not a sovereign and therefore his knowledge alone may not overthrow a tyrant. That is why for Spinoza's conception of exception to have any force at all, one must discard the idea that the development of knowledge alone may constitute a counterpower that may fully secure oneself from the tyrant.

Rather the knowledge of Christ has to be always attached to a group of people who will contribute to establishing a counter power. Certainly, the apostles fulfil this role, but their actions are related to the figure of the honest or the just person of the the honest in Chapter 20. There is a shared ground between the honestus and the true life of Christ although the honest person does not have knowledge of the whole of nature. These two figures share the main principle of the divine law, the practice of love towards one neighbour, I don't have time to quote it, but at least this is what I interpret from Ethics 4p37 scholium 1.

Unlike Christ the honestus' certainty to interrupt the ... tyrant's sovereignty does not come from a legislative or a moral ability to express truth in words. My hypothesis is that it is rather the experience of bodily martyrdom, of bodily martyrdom, undergone by the honest or just person that becomes an index of certitude, allowing an exception in the obedience towards the sovereign. The destruction of the humanity of the honestus for which Spinoza explicitly criticizes the tyrant in Chapter 20, always anchored in the mistreatment of their bodies, transforms this figure in a model of resistance. So, I suppose this has a lot to do with the previous paper as well. This resistance against the sovereign is described by Spinoza almost as a necessary consequence of the abused against the honestus' body by the dishonest tyrant. Thus, we're talking what that we're talking here about an interruption in sovereignty that is immanent to bodily relationships between individuals.

Indeed, yesterday Mogens Laerke pointed out that Spinoza's republicanism rested on the assumption that the sovereign will not act violently against the citizens, otherwise as he put it in the q and a session "everything goes to sh*t". And in Chapter 20 Spinoza seems to show that everything will actually go to sh*t unless there is a consensus on, and a concrete achievement of, a robust system for the protection of the materiality of the body. Otherwise almost as a mathematical consequence other bodies will rebel against the sovereign and will justly attempt to overthrow his power.

However, I am not totally sure as to whether Spinoza fully developed this idea of sovereign interruption as anchored in bodily experience, beyond his acknowledgement of martyrdom. Thus, as a closing hypothetical claim and very hypothetical I would say even experimental I propose we must

seek to deploy all the political potential of this exception anchored in the body, by studying it in light of another theory of political exception. Namely in light of Walter Benjamin's idea of divine violence.

In one of the most celebrated passages of his essay "On the critique of violence", Benjamin establishes the difference between what he calls mythical violence and divine violence. I quote a very short passage. "If mythical violence is law-making, divine violence is law destroying. If the former is bloody, the latter is lethal, without spilling blood", I cut the middle of that passage towards the end of the essay. Benjamin's insistence on the relationship between this form of divine interruption of the law and its concrete realization in the general strike supposes that, for him, what triggers the sovereign popular exception is the exploitation of the worker's body used as a means to an end. The suspension of the law is thus anchored in the exploited working body, which decides to expose itself in the strike by interrupting its own exploitation. Thus, while for Benjamin the general strike at stake in divine violence concerns a suspension of the conditions allowing for material bodily exploitation to take place, Spinoza's exception anchored in the body of the apostles or the honesti also supposes the triggering of a collective endeavour against the tyrannical enforcement of the law that mistreats individual bodies.

In both cases what turns rebellion into a certainty, or in other words, what I'm calling here .. what produces here an authorization of exception, is not an external miracle-like interruption of the law by the sovereign him or herself, but the attempt to finish with bodily exploitation. It is an instance of an imminent suspension of the conditions allowing for this exploitation to take place. If the limit experience of martyrdom is what triggers rebellion in the TTP, one should say that this form of exception can be expanded into what Benjamin terms at the very end of his essay "other eternal forms open to pure divine violence".

I would argue that even in Spinoza's philosophy this requirement to put an end to bodily exploitation, comes before the very possibility of reaching consensus on any other matter relating to the constitution of a republic. It is actually a condition of ... possibility for the constitution of the republic. And the mistreatment and exploitation of bodies is neither a merely moral issue, nor an open call for violent rebellion, but actually an index of certainty that the commonwealth will not hold and that sovereignty will be interrupted. Thanks.